v.f.- Wayland 1974

TOWN OF WAYLAND

REPORT

OF THE

FINANCE COMMITT

FEB 25 1978

INCLUDING

WARRANT ARTICLES

FOR ANNUAL TOWN MEETING

March 6, 1974

AND SPECIAL TOWN MEETING

March 6, 1974

With Finance Committee's

RECOMMENDATIONS AND BUDGET

WAYLAND PUBLIC LIBRARY

CAGE

WARRANT FOR SPECIAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To any of the Constables of the Town of Wayland, in said County:

GREETINGS:

In the name of the Commonwealth you are required to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet in the High School Field House on

WEDNESDAY, MARCH 6, 1974

at 8:30 P.M., or as soon thereafter as the Article then under discussion in the Annual Town Meeting is disposed of, then and there to act on the following article:

Article 1. To see if the Town will vote to appropriate a sum or sums of money for the operation and expenses of any or all of the departments of the Town; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money or moneys appropriated therefor; or take any action relative thereto.

RECOMMENDATION FOR SPECIAL TOWN MEETING ARTICLE

This Special Town Meeting and this article arise from unexpected costs and expenditures incurred by the School Department in the current 18 month transitional period. The School Department will make a full report at the Special Town Meeting in connection with any appropriation hereunder. A substantial transfer from Available Funds is anticipated in connection with this article.

The Finance Committee recommends approval of this article subject to a final determination of the amounts involved.

And you are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the public libraries in Cochituate and in Wayland Center, and by mailing or delivering a copy thereof addressed to each registered voter at his or her residence, seven days, at least, before the time appointed for such election or meeting.

Hereof fail not, and make due return of this Warrant with your doings thereon to the Town Clerk on or before March 6, 1974.

Given under our hands and seal this twelfth day of February in the year of our Lord one thousand nine hundred and seventy-four.

L. THOMAS LINDEN
HERBERT N. ODELL, JR.
CATHERINE W. SEILER
JOHN B. WILSON
JOHN R. McENROY
Selectmen of the Town of Wayland

ROBERT S. SWAIN, JR.
JONATHAN STRONG
BRUCE KINGSBURY
MARK S. MORDECAI
CHESTER L. SCHULER
MARCIA CROWLEY
FRANCIS J. FLEMING
Finance Committee

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for
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*** Proposed Amendment to Zoning By-Law on Planned Development printed in its entirety in rear of the warrant.**

WARRANT FOR ANNUAL TOWN MEETING

COMMONWEALTH OF MASSACHUSETTS

MIDDLESEX, SS.

To any of the Constables of the Town of Wayland, in said County:

GREETINGS:

In the name of the Commonwealth you are required to notify and warn the inhabitants of said Town qualified to vote in Town Election to meet at their respective polling places, Precinct 1 in the Old Junior High School Gymnasium, Precinct 2 in the Cochituate Grammar School on

MONDAY, MARCH 4, 1974

at 7:00 o'clock in the forenoon, there and then to bring in their ballots for a Moderator for one year, and an Assessor for two years;

One Town Clerk, one Selectman, one member of the School Committee, one Assessor, two Trustees of the Public Library, one member of the Board of Health, one Road Commissioner, two members of the Park and Recreation Commission, one Water Commissioner, one Commissioner of Trust Funds, each for three years;

One member of the Planning Board for four years, and two members of the Planning Board for five years;

All the foregoing to be voted on the official ballot. The polls will be open at 7:00 o'clock in the forenoon and will remain open continuously until 8:00 o'clock in the afternoon, when they shall be closed.

And you are required to notify and warn the inhabitants of said Town qualified to vote in Town affairs to meet at the High School Field House on

WEDNESDAY, MARCH 6, 1974

at 7:45 p.m., then and there to act on the following articles:

Notice: It is the intention of the Finance Committee to request of the Town that if adjourned meetings be necessary to complete the action on the Warrant, they be held Mondays and Wednesdays beginning March 11, 1974, until all articles have been disposed of.

Article 1. To hear the reports of the Town officers, agents and committees and act thereon.

Article 2. To choose all necessary Town officers, agents and committees not elected by the official ballot.

Article 3. To see whether the Town will vote to amend the Wage and Salary Classification Plan previously adopted by the Town, by making the following additions, deletions, or modifications, and by establishing effective dates for said amendments:

(a) Amend ARTICLE II, SECTION I, SCHEDULE A in the following respect:

(1) By adding:

C-1 Apprentice Clerk - (Effective December, 1973)
Assistant Detached Social Worker - G Schedule
(Effective December, 1973)
S-10 Dog Officer - (Effective March, 1973)
S-6 Library Assistnt I - (Effective July 1, 1974)
S-8 Library Assistant II - (Effective July 1, 1974)
S-15 Reference Librarian - (Effective July 1, 1974)

(2) By changing labor grade designations for certain classifications as follows:

(Effective May 24, 1973 through June 30, 1974)
Junior Clerk from S-1 to C-4
Machine Room Operator from S-3 to C-5
Payroll Supervisor from S-12 to C-14
Principal Clerk from S-8 to C-10
Senior Clerk from S-5 to C-7
Switchboard Operator-Receptionist from S-4 to C-6
(Effective July 1, 1974 through June 30, 1975)
Children's Librarian from S-13 to S-15
Junior Clerk from C-4 to C-5
Machine Room Operator from C-5 to C-6
Payroll Supervisor from C-14 to C-15
Principal Clerk from C-10 to C-11
Senior Clerk from C-7 to C-8
Switchboard Operator-Receptionist from C-6 to C-7

(b) Amend ARTICLE II, SCHEDULE B
By deleting the entire schedule presently shown and substituting the following new schedule:

SCHEDULE B
GENERAL ANNUAL SALARY SCHEDULE
(Effective through June 30, 1974)

Compensation Grade	Minimum	1 Year After	2 Years After	3 Years After
S-1	$5,066.00	$5,272.00	$5,489.00	$5,701.00
S-2	5,272.00	5,489.00	5,701.00	5,935.00
S-3	5,489.00	5,701.00	5,935.00	6,165.00
S-4	5,701.00	5,935.00	6,165.00	6,417.00
S-5	5,935.00	6,165.00	6,417.00	6,669.00
S-6	6,165.00	6,417.00	6,669.00	6,938.00
S-7	6,417.00	6,669.00	6,938.00	7,212.00
S-8	6,669.00	6,938.00	7,212.00	7,498.00
S-9	6,938.00	7,212.00	7,498.00	7,808.00
S-10	7,212.00	7,498.00	7,808.00	8,117.00
S-11	7,498.00	7,808.00	8,117.00	8,438.00
S-12	7,808.00	8,117.00	8,438.00	8,769.00
S-13	8,117.00	8,438.00	8,769.00	9,125.00
S-14	8,438.00	8,769.00	9,125.00	9,491.00
S-15	8,769.00	9,125.00	9,491.00	9,874.00
S-16	9,125.00	9,491.00	9,874.00	10,263.00
S-17	9,491.00	9,874.00	10,263.00	10,779.00
S-18	9,874.00	10,263.00	10,779.00	11,311.00
S-19	10,263.00	10,779.00	11,311.00	11,877.00
S-20	10,779.00	11,311.00	11,877.00	12,468.00
S-21	11,311.00	11,877.00	12,468.00	13,103.00
S-22	11,877.00	12,468.00	13,103.00	13,754.00
S-23	12,468.00	13,103.00	13,754.00	14,624.00

(c) Amend ARTICLE II, SCHEDULE E

By deleting the entire schedule presently shown, and substituting the following new schedule:

SCHEDULE E
FIRE ANNUAL SALARY SCHEDULE
(Effective through June 30, 1974)

Compensation Grade	Minimum	1 Year After	2 Years After	3 Years After
F-1	$9,398.00	$9,776.00	$10,166.00	$10,571.00
F-2	9,776.00	10,166.00	10,571.00	11,101.00
F-3	10,571.00	11,101.00	11,650.00	12,229.00
F-4	11,101.00	11,650.00	12,229.00	12,842.00
*F-5			275.10	

* Weekly Rate

(d) Amend ARTICLE II, SCHEDULE F

By deleting the entire schedule presently shown and substituting the following new schedule.

SCHEDULE F
HOURLY WAGE SCHEDULE
(Effective through June 30, 1974)

Compensation Grade	Minimum	1 Year After	2 Years After
W-1	$3.10	$3.23	$3.37
W-2	3.23	3.37	3.49
W-3	3.37	3.49	3.62
W-4	3.49	3.62	3.76
W-5	3.62	3.76	3.96
W-6	3.78	3.99	4.18
W-7	3.99	4.18	4.38
W-8	4.16	4.35	4.55
W-9	4.35	4.55	4.74
W-10	4.58	4.79	4.98

(e) Amend ARTICLE II, SCHEDULE C

By deleting the entire schedule presently shown and substituting the following new schedule:

SCHEDULE C
CLERICAL ANNUAL SALARY SCHEDULE
(Effective through June 30, 1975)

Compensation Grade	Minimum	1 Year After	2 Years After	3 Years After
C-1	$4,802.00	$4,997.00	$5,203.00	$5,404.00
C-2	4,997.00	5,203.00	5,404.00	5,626.00
C-3	5,203.00	5,404.00	5,626.00	5,844.00
C-4	5,404.00	5,626.00	5,844.00	6,082.00
C-5	5,626.00	5,844.00	6,082.00	6,321.00
C-6	5,844.00	6,082.00	6,321.00	6,576.00
C-7	6,082.00	6,321.00	6,576.00	6,836.00
C-8	6,321.00	6,576.00	6,836.00	7,107.00
C-9	6,576.00	6,836.00	7,107.00	7,401.00
C-10	6,836.00	7,107.00	7,401.00	7,694.00
C-11	7,107.00	7,401.00	7,694.00	7,998.00
C-12	7,401.00	7,694.00	7,998.00	8,312.00
C-13	7,694.00	7,998.00	8,312.00	8,649.00
C-14	7,998.00	8,312.00	8,649.00	8,996.00
C-15	8,312.00	8,649.00	8,996.00	9,359.00

(f) Amend ARTICLE II, SCHEDULE D

By deleting the entire schedule presently shown and substituting the following new schedule:

SCHEDULE D
POLICE ANNUAL SALARY SCHEDULE
(Effective through June 30, 1974)

Rank	Minimum	1 Year After	2 Years After	3 Years After
Patrolman*	$9,399.00	$9,777.00	$10,168.00	$10,572.00
Police Sergeant**	11,102.00	11,650.00	12,231.00	12,843.00
Police Lieutenant	11,650.00	12,231.00	12,843.00	13,492.00
Youth Officer	11,650.00	12,231.00	12,843.00	13,492.00

* Plus $600.00 per annum additional compensation when appointed and serving as Police Department Detective, Mechanic, Court Prosecutor, or Photographer.

** Plus $600.00 per annum additional compensation when serving as Police Department Detective.

(g) Amend ARTICLE II, SCHEDULE G

By deleting the entire schedule presently shown and substituting the following new schedule:

SCHEDULE G
ADMINISTRATIVE AND PROFESSIONAL ANNUAL SALARY SCHEDULE
(Effective through June 30, 1974)

Position	Annual Salary
Assistant Detached Social Worker	10,000.00
Administrative Assistant	$10,500.00
Data Processing Coordinator	10,500.00
Librarian	11,500.00
Treasurer - Collector	12,900.00
Building and Zoning Inspector	13,500.00
Park and Recreation Superintendent	14,000.00
Town Surveyor	15,000.00
Town Accountant	16,000.00
Highway Superintendent	16,500.00
Water Superintendent	16,500.00
Detached Social Worker	17,100.00
Executive Secretary	18,500.00
Fire Chief	19,028.00
Police Chief	19,028.00

(h) Amend ARTICLE II

By adding as Schedule H, the following new schedule:

SCHEDULE H
MISCELLANEOUS SALARY AND WAGE SCHEDULE
(Effective through June 30, 1974)

Position	Compensation
Call Firefighter (Part-time)	$4.22 per hour
Fire Call-in Duty	
Shift Replacement	
Day - 10 hours	37.42 per shift
Night - 14 hours	52.39 per shift
Firefighter Cadet	2.64 per hour
Diver (Part-time)	8.55 per hour
Special Patrolman (Part-time)	4.22 per hour

Laborer (Part-time)	2.89 per hour
Laborer (Probationary)	2.89 per hour
Library Clerk (Part-time)	2.57 - 2.69 - 2.82 per hour
Library Page (Part-time)	1.59 - 1.65 - 1.72 per hour
Nurses' Aide (Part-time)	2.78 - 2.86 - 2.97 - 3.06 per hour
Police Matron (Part-time)	4.22 per hour
School Crossing Guard (Part-time)	48.08 per week
	11.46 per day
Wiring Inspector (Part-time)	5.00 per hour

(i) Amend ARTICLE V-A

By adding Section 4 to read as follows:

"Highway and Park and Recreation employees who are eligible for at least two weeks vacation may carry over one week of their vacation to the following year."

(j) Amend ARTICLE V-C

By adding the following parenthetical clause after the first sentence thereof:

"(13 days per year for Highway and Park and Recreation Department employees)."

COMMENTS FOR ARTICLE III

As of the last Town Meeting, Personnel Board negotiations were continuing with five separate bargaining units of Town employees. At varying dates between March and June 1973, agreements were reached with all units. As of January 1974, written agreements had been executed and were in effect with respect to the Clerical and Police units, both of which are represented by the National Association of Government Employees, the Firefighters unit which is represented by the International Association of Firefighters, and the Water Department unit which is not represented by a national union. An oral agreement was reached with the Highway, Park and Recreation unit, which is also represented by the National Association of Government Employees, and a written agreement has been submitted to the union for execution.

The agreement covering the clerical unit was for the period May 24, 1973, through June 30, 1975. In an effort to compensate these employees on a basis more closely parallel to that on which the school clerical employees are compensated, most classifications were increased by two labor grades (approximately 8%) for the 15-month period through June 30, 1974. Each classification will be increased one labor grade (approximately 4%) during the period July 1, 1974, through June 30, 1975. These employees will be compensated on the basis of SCHEDULE B as in effect immediately prior to May 24, 1973. This schedule will be designated SCHEDULE C and the rates therein will not be increased prior to July 1, 1975. Commencing at dates agreed upon with the applicable collective bargaining representative, employees in all of the other units except Firefighters received a 5.5% increase for the period through June 30, 1974. The Firefighters received a 6% increase for that period in order to restore their salary schedule to the same level as that of the Police unit. Employees not represented by a union, other than the management employees on the G SCHEDULE, received a 5.5% increase for the 15-month period from March 1973 through June 30, 1974. Management employees on the G SCHEDULE are being compensated as shown in Paragraph (g) of this Article. It should be noted that the salary for the Police and Fire Chiefs is based on CHAPTER 48, SECTION 57(g) of the General Laws of the Commonwealth which requires that for departments the size of Wayland's, the Fire and Police Chiefs receive 1.8% more than the highest annual salary of a permanent full-time Firefighter or full-time Police Officer, respectively.

Negotiations are now in progress with the Firefighters, Police and Water Department units. The Town has not yet received any communi-

cation from the National Association of Government Employees with respect to the Highway, Park and Recreation unit and it appears that there may be a question of representation with respect to that unit. A report will be presented to the Town at the Annual Meeting with respect to the status of negotiations, and proposed increases in department head and non-represented employees salaries for the period July 1, 1974 through June 30, 1975.

RECOMMENDATION

Negotiations between the Personnel Board and the various Town employee representatives have not yet been completed. The Personnel Board will report to the Town, subject to the constraints of the collective bargaining laws, on the status of those negotiations and the Finance Committee recommends that the Town be guided by its report.

Article 4. To see what sums of money the Town will raise and appropriate for the operation and expense of the Town.

RECOMMENDATION

See Finance Committee Report

Article 5. To see if the Town will fix the salary and compensation of all elected officers of the Town pursuant to G. L. Chapter 41, Section 108, and establish the effective date of such salary and compensation.

RECOMMENDATION

Elective officers' salaries are not covered by the Wage and Salary Classification Plan and, therefore, must be established annually by the Town, The Finance Committee's recommendations are as indicated in the Budget. The Finance Committee recommends that they be made effective as of July 1, 1974.

The Finance Committee recommends the approval of the Article.

Article 6. To see if the Town will vote to authorize the Treasurer, with the approval of the Selectmen, to borrow monies from time to time in anticipation of the revenue for the fiscal year beginning July 1, 1974 in accord with the provisions of G. L. Chapter 44, Section 4, and Chapter 849 of the Acts of 1969, as amended, and to renew any note or notes that may be given for a period of less than one year in accord with the provisions of G. L. Chapter 44, Section 17.

RECOMMENDATION

This is the regular article inserted in the Warrant to provide authority for the Treasurer to borrow money in case of need pending the collection of taxes due in October 1974 and April 1975.

The Finance Committee recommends the approval of the article.

Article 7. To see if the Town will vote to authorize the Board of Selectmen to sell, or otherwise dispose of the following vehicles or equipment, or any portion thereof:

1. POLICE DEPARTMENT
   a. One 1973 Ford Custom 500 Four door Sedan - marked
   b. One 1973 Ford Custom 500 Four door Sedan - marked
   c. One 1973 Ford Custom 500 Four door Sedan - marked
   d. One 1969 Plymouth Fury Four door Sedan - unmarked
2. FIRE DEPARTMENT
   a. One 1970 Jeep Utility FWD Alarm Maintenance Vehicle

3. HIGHWAY DEPARTMENT

a. One 1969 International 1200D Pickup truck
b. One 1956 Homemade two wheel trailer
c. One 1966 Gravely Tractor w/attachments
d. One 1968 Gravely Tractor w/attachments
e. One 1970 International TD 15 BP Bulldozer

in connection with the purchase of new equipment by the respective department or otherwise, or take any action relative thereto.

RECOMMENDATION

The sale, trade-in or disposal of Town property with a residual value in excess of $200.00 requires a vote of the Town. Funds for the purchase of new equipment for which the old is being traded or sold are provided for in the budgets of the respective departments or, in the case of the Water Department, under Article 8.

The Finance Committee recommends the approval of the Article.

Article 8. To see if the Town will vote to appropriate sums of money for the Water Department to be expended pursuant to the authority of the Water Commissioners; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by borrowing under the provisions of Chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article provides funds for the operation of the Water Department for the fiscal year. All of the funds will be provided for from Water Department revenue. The proposed budget is as follows:

1. WATER DEPARTMENT — Operating Expenses		
Salaries:		
Superintendent	**$17,780.00**	
Labor	**65,720.00**	
Town Office	**14,765.00**	
		$98,265.00
2. MAINTENANCE		**66,000.00**
3. WATERMAIN EXTENSION — Old Conn. Path to Rice Road		**30,000.00**
		$194,265.00

The Finance Committee recommends approval of the Article.

Article 9. To see if the Town will vote to appropriate a sum of money for maintaining, repairing, improving and constructing town and county highways together with any money which may be allocated and or expended for this purpose from the Highway Fund pursuant to the provisions of G. L. Chapter 90, Section 34 by the Massachusetts Department of Public Works and the County of Middlesex; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by borrowing under the provisions of Chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This is the regular article under which the Town appropriates $7,500, its 25% share of funds for the construction of so-called Chapter 90 Roads. The County contributes 25% and the State 50%. Beginning in 1967, the three units of government have now accumulated $203,600 prior to this year's Town Meeting.

Should the Town approve the necessary land taking and reconstruction of Five Paths under Article No. 54, it should also approve an appropriation under this article; if the Town does not, then no appropriation is called for.

Article 10. To see if the Town will vote to accept any or all of the property which has been tendered to it as a gift, bequest, devise or otherwise, including any of the property described below:

a. A parcel of land offered to the Town by Claire J. Butler containing 814 square feet, more or less, and shown on Plate 42 D of the Town Atlas, as well as on a Plan on file with the Town Clerk, entitled: "PROPOSED LAND TRANSFER WAYLAND, MASS. JANUARY 28, 1974 Scale: 1 in. = 40 ft. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

   Beginning at a point on the northeasterly sideline of Sycamore Road at the property line between land of Claire J. Butler and the Town of Wayland; thence

   N30-36-55 W, fifty and 00/100 (50.00) feet; thence
   N22-14-30 W, fifty and 00/100 (50.00) feet; thence
   N67-45-30 E, ten and 00/100 (10.00) feet; thence
   S22-14-30 E, sixty-eight and 62/100 (68.62) feet; thence
   SOUTHERLY thirty and 65/100 (30.65) feet along a curve to the left having a radius of 610.00 feet; thence
   S64-39-04 W, five and 00/100 (5.00) feet to the point of beginning;

b. A drainage easement in a parcel of land shown as Parcel B on Plate 23 of the Town Atlas, as well as on a Plan entitled, "PROPOSED LAND TRANSFER WAYLAND, MASS. JANUARY 28, 1974 SCALE: 1 IN. = 40 FT. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

   Beginning at a point on the southerly sideline of Bow Road at the Northwesterly corner of Lot A; thence
   S22-02-00 W, two hundred forty-five and 32/100 (245.32) feet; thence
   N48-20-02 W, twenty-one and 23/100 (21.23) feet; thence
   N22-02-02 E, one hundred fifty-three and 25/100 (153.25) feet; thence
   N0-44-33 E, eighty and 00/100 (80.00) feet; thence
   S79-56-00 E, fifty and 00/100 (50.00) feet to the point of beginning;

or take any action relative thereto.

RECOMMENDATION

This is the regular article by which the Town accepts gifts or conveyances. The Town Counsel will make a report and recommendations at the time of the Town Meeting.

The Finance Committee recommends approval of the article in accordance with the recommendations of Town Counsel.

Article 11. To see if the Town will amend its By-Laws by deleting Section 1 from Article 1 reading as follows:

Section 1. In the annual town meeting in which there is precinct voting the matter of the election of town officers and the determination of such matters as by law are required to be elected or determined by official ballot shall be in order only on the first Monday of March in each year, and all other business shall be in order only at a meeting held on the following Wednesday at 7:45 o'clock in the afternoon.
and by inserting the following new Section in place thereof:

"**Section 1.** The annual town meeting shall commence on a day in April ordered by the Selectmen. The election of town officers and the

determination of all matters placed on the official ballot at such election shall take place within seven days, but no less than two days, before the annual town meeting. In addition to the warrant required by G.L. chapter 39, section 23, the Selectmen shall cause notice of the time and place(s) of each annual town meeting and election to be published in a newspaper of general circulation in Wayland no later than the date fixed by them for the closing of the warrant pursuant to Section 3 below.";
or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Finance Committee and would change the date of the Annual Town Meeting from the "First Wednesday after the First Monday in March" to any day in April at the determination of the Selectmen.

Moving the Annual Town Meeting, beginning in 1975, to April will bring the meeting date one month closer to the administrative and fiscal period involved.

Equally important, it would permit the Finance Committee to defer its budget sessions to January, rather than starting in December prior to the holidays. Experience this year indicates that Boards and Commissions have experienced some difficulty in considering their July activities in the preceding December.

Choice of the appropriate Wednesday by the Selectmen would permit some flexibility to deal with the holidays occuring in April.

The Finance Committee recommends approval of the Article.

Article 12. To see if the Town will authorize the Selectmen to present a petition to the General Court of the Commonwealth for and on behalf of the Town of Wayland praying that it enact a special law exempting the office of Youth Officer of the Town of Wayland from the provisions of the Civil Service Law; or take whatever action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Selectmen. Favorable action by the Commonwealth would permit the Town to administer the position of Youth Officer outside of Civil Service. Thus the Town could make its own choice in recruiting for the position, as well as avoid any arbitrary imposition of title or rank. The Town could also set standards or qualifications for the position above those of the Civil Service Board. The Civil Service Board has not established the designation of Youth Officer, and is unwilling to permit the Town to continue to use the title. The present Youth Officer and the Chief of Police have expressed their favorable opinions. The proposed exemption would have no bearing on salary scales.

The Finance Committee recommends approval of the Article.

Article 13. To see if the Town will authorize the Commissioners of Trust Funds to petition the General Court of the Commonwealth for and on behalf of the Town of Wayland praying that it enact a special law authorizing the Town of Wayland to invest certain trust funds in certain investments, including common trust funds and securities which are legal for the investment of funds of savings banks, and or to retain professional investment assistance; or take whatever action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the Selectmen; favorable action by the Commonwealth would then provide the Wayland Commissioners of Trust Funds with somewhat broader

investment authority than they now possess, and permit the utilization of professional investment services. Existing laws unduly restrict investments.

The Finance Committee recommends approval of the Article.

Article 14. To see if the Town will vote to appropriate a sum of money for the purpose of planning, constructing, originally equipping and furnishing an addition or additions to the Cochituate Elementary School, and for planning, reconstruction, remodeling, rehabilitating and modernizing the existing school building, and for additional school department equipment and furnishings therefor, such combination of construction and rehabilitation of school buildings to provide additional space for the educational program; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer from the Stabilization Fund, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the School Building Planning Committee, and would authorize certain repairs to the Cochituate School at an estimated cost of $45,000. The work would include such items as paint, lighting, plaster, and the relocation of partitions.

The School Building Planning Committee will make a full report on this matter at the Town Meeting.

The Finance Committee recommends approval of the Article.

Article 15. To see if the Town will vote to appropriate a sum of money for the purpose of planning, constructing, originally equipping and furnishing an addition or additions to the Happy Hollow Elementary School, and for planning, reconstruction, remodeling, rehabilitating and modernizing the existing school building, and for additional school department equipment and furnishings therefor, such combination of construction and rehabilitation of school buildings to provide additional space for the educational program; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer from the Stabilization Fund, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the School Building Planning Committee and would authorize certain repairs to and reconstruction of the Happy Hollow School at a total estimated cost of approximately $950,000. The School Building Planning Committee has received tentative approval for 65% State reimbursement. With the reimbursement, the project will, after the first year, add approximately $1.00 to the tax rate of the Town as presently assessed.

The School Building Planning Committee will make a full report to the Town at Town Meeting on the assumptions and details underlying their recommendations.

The Finance Committee recommends approval of the article subject to normal assurances from the State as to reimbursement.

Article 16. To see if the Town will authorize the Selectmen to acquire by purchase, eminent domain, gift, or otherwise, for recreation purposes the fee or any lesser interest in a parcel of land with the trees thereon and the structures affixed thereto on Lake Shore Drive standing in the name of Robert and Mary Louise Weight containing 1,860 square feet more or less shown as Lots 268 and 269 on Plate No. 43 C of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF WOODLAND PARK WAYLAND, MASS. SCALE 1 IN. = 60 FT. BROWN AND STACKPOLE 101 TREMONT ST. BOSTON, MASS. AGENTS E. WORTHINGTON ENG'R SEPT. 3, 1914" and filed in the Middlesex, South District, Registry of Deeds as an "As Filed Plan #543" and more fully described as follows:

Beginning at a point on the Southerly sideline of Lake Path at the lot line between lots 269 and 270; thence

EASTERLY forty (40) feet by Lake Path; thence
SOUTHERLY sixty-three (63) feet, to Dudley Pond; thence
WESTERLY eighteen (18) feet by the shore of Dudley Pond; thence
NORTHERLY eighty-one (81) feet more or less to the point of beginning;

together with any or all rights, title and interest of the owner or owners of the above-described premises in the streets and ways adjoining the same; to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article was submitted by the Board of Selectmen to see if the Town will purchase a parcel of land and the house thereon at 26 Lake Shore Drive consisting of approximately 1,860 square feet and 18 feet of Lake Shore frontage formerly owned by the late Mary Louise Weight. Mrs. Weight died recently and her next-of-kin has been located living in England. This person has indicated a desire to sell to the Town "if a reasonable offer is made". The Selectmen are in the process of corresponding with Mrs. Weights next-of-kin and a friend who has agreed to serve as administratrix of her estate. The Selectmen are in the process of obtaining an appraisal which will be the basis of their "reasonable offer". The parcel in question abuts a parcel of approximately 1,800 square feet owned by the Town of Wayland, and the parcel proposed for purchase would, when added to the parcel owned by the Town provide lake front access for recreational purposes.

The Finance Committee recommends this Article subject to the negotiations of a suitable price by the Selectmen.

Article 17. To see if the Town will authorize the Selectmen to acquire by purchase, eminent domain, gift, or otherwise, for recreational purposes the fee or any lesser interest in a vacant parcel of land with the trees thereon on Curtiss Road standing in the name of Joseph J. and Jennie B. Romikitis containing 1861 square feet more or less shown as Lot 58 on Plate No. 47 C of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, Rosenblatt Bros. Civil Engineers JANUARY 1930" and recorded with the Registered Land Section of the Middlesex, South District, Registry of Deeds in Book 207 at Page 161; together with any or all rights, title and interest of the owner or owners of the above-described premises in the streets and ways adjoining the same; to determine whether the Town will appropriate money therefor, to be provided by taxation by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This and the following article have been inserted in the Warrant by the Board of Selectmen to see if the Town will exchange a vacant parcel of land located at 58 Curtiss Road owned by Mr. and Mrs. Joseph J. Romikitis for two parcels of Town owned land located at 42 and 43 Doran Road. Mr. and Mrs. Romikitis would convey a lot containing 1,861 square feet to the Town in exchange for the two Town owned lots containing a total of 2,957 square feet. The net difference of 1,096 square feet which would pass to the Romikitis' would, at the current value of approximately 25 cents per square foot be worth about $375.00. The Selectmen have agreed to make the exchange without any payment by Mr. and Mrs. Romikitis in view of the fact that to survey and record a new plot plan for a smaller lot would cost as much as the Town could reasonably expect to receive if the land were to be sold. By making this exchange the Town obtains a parcel which helps to complete a larger area of land which the Town has been in the process of aquiring over the past few years.

The Finance Committee recommends approval of the Article.

Article 18. To see if the Town will authorize the Selectmen with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Joseph J. and Jennie B. Romikitis a vacant parcel of land with the trees thereon, but subject to utility easements, on Doran Road originally acquired in 1954 through tax title procedure containing 2984 square feet more or less and shown as Lots 42 and 43 on Plate 47 C of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, Rosenblatt Bros. Civil Engineers JANUARY 1930" and recorded in the Registered Land Section of the Middlesex, South District, Registry of Deeds, in Book 207 at Page 161; to specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

The story concerning this Article is written under the preceding Article.

The Finance Committee recommends approval of the Article.

Article 19. To see if the Town will authorize the Selectmen to acquire by purchase, eminent domain, gift, or otherwise, for sidewalk purposes the fee or any lesser interest in a vacant parcel of land with the trees thereon off Joyce Road standing in the name of Ronald J. Mori and Andrea Mori containing 250 square feet more or less shown on Plate No. 48 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. SHOWING PROPOSED LAND EXCHANGE MAY 9, 1973 SCALE: 1 IN. = 20 FT. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

Beginning at a concrete bound 19.26 feet westerly of the southeasterly corner of land owned by Ronald J. and Andrea Mori; thence

N37-54-50 W, sixty-nine and 99/100 (69.99) feet; thence
S54-40-12 E, ten and 41/100 (10.41) feet; thence
S39-24-32 E, sixty-three and 80/100 (63.80) feet; thence
S88-59-30 W, six and 00/100 (6.00) feet, to the point of beginning;

to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

At the time of the building of the new Junior High School a walkway was constructed by the School Department between School Street

and the new school facility to permit children to walk through the woods to the school. At the time of the construction of the walkway it was found necessary to build a small portion (approximately 250 square feet) on the land of Mr. and Mrs. Ronald J. Mori. The Moris, as public spirited citizens, readily agreed to give up a small portion at the back of their lot in exchange for an equivalent amount of land from the Town, thereby permitting the walkway to be constructed on flatter terrain and thus avoiding greater construction costs to the Town. This Article looks to the acquisition of the land and the following Article calls for the conveyance of roughly 260 square feet of Town land in exchange. No money will change hands.

The Finance Committee recommends approval of the Article.

Article 20. To see if the Town will authorize the Selectmen with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Ronald J. Mori and Andrea Mori, abutters a vacant parcel of land subject, however, to utility assessments, off Joyce Road originally taken for school purposes containing 260 square feet more or less and shown as Lot A on Plate 48 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. SHOWING PROPOSED LAND EXCHANGE MAY 9, 1973 SCALE 1 IN. = 20 FT. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

Beginning at the southwesterly corner of land belonging to Ronald J. and Andrea Mori, as shown on said plan; thence

S37-54-50 E, sixty-seven and 70/100 (67.70) feet, thence
N54-40-12 W, ten and 43/100 (10.43) feet; thence
N41-21-35 W, thirty-three and 19/100 (33.19) feet; thence
N37-54-50 W, twenty and 00/100 (20.00) feet; thence
N09-25-00 E, seven and 00/100 (7.00) feet, to the point of beginning;

to specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

The story concerning this Article is written under the preceding article.

The Finance Committee recommends approval of the Article.

Article 21. Proposed: The Board of Selectmen is hereby authorized to appropriate the sum of $5,200.00 per annum for the appointment of part-time student interns for the Police Department. The Board of Selectmen shall have the right of appointment or dismissal at their discretion, and the interns' hours and duties shall be assigned by the Chief of Police, except that the interns shall not be armed nor hold the power of arrest.

The qualifications for the appointment to the position of Police Student Intern shall be determined by the Chief of Police but shall include the following:

1) The intern shall be a student in good standing attending an accredited university or college and not be less than eighteen nor more than twenty-two years of age.
2) The intern shall meet the physical requirements for applicants to the regular police force of the Town of Wayland.
3) The intern should be determined to be of good moral character.
4) The intern shall have demonstrated some concrete propensity towards pursuing a career in law enforcement preferably in Wayland.

RECOMMENDATION

This Article was inserted in the Warrant by a petition carrying 13 signatures and calls for the appointment of part-time interns in

the Police Department. The position would permit students with a career interest in law enforcement to experience police activities. Duties would be clerical and administrative in nature. Every intern will also be enrolled in a two or four year degree awarding course.

The Finance Committee recommends approval of the Article.

Article 22. To see if the Town will vote to accept the provisions of Chapter 41, Section 108L of the General Laws, or take any action relative thereto, or in the alternate to accept a completely town controlled pay incentive program at the same rate as Chapter 41, Section 108L.

Note: Full text of Chapter 41, Section 108L has been reprinted on page 65 of the Warrant.

RECOMMENDATION

This Article was inserted in the Warrant on the signature of more than ten citizens to see if the Town would adopt the provision of the General Laws providing for a career incentive program of base salary increases to regular, full-time members of the Police Department, or in the alternative adopt a local version of such a plan. The salary increases would be granted according to a state formula based on the amount of college credits earned by each member of the Department. The base salary increases would range from 3% (for an employee having 10 semester hours credit earned towards a baccalaureat or associate degree) to 30% (for an employee holding a law degree). The statute provides that one-half of the cost of the implementation of this program shall be reimbursed by the Commonwealth. However, to date no funds have been appropriated for this by the State and towns adopting this program in the past have been obligated to bear the full cost of the program. At the present time this program would affect approximately 11 members of the Police Department, 5 members being entitled to a 3 to 6% pay increase, 1 member a 10% increase, 2 members a 15% increase, 2 members a 20%, and 1 member a 30% increase. The total cost of this program, without reimbursement, on an annual basis would be approximately $14,200.00.

The Board of Selectmen and the Finance Committee have discussed this Article with the spokesmen for the petitioners and are in agreement that some form of recognition should be granted for professional educational activity by the Police Department members. However, both the Selectmen and the Finance Committee feel that since the proposal has to do with compensation, and the amount of the benefits, the type of program adopted should be the subject of collective bargaining between the representatives of the Police Department employees and the Personnel Board. The Personnel Board has agreed to include this topic in their negotiations and consequently the Finance Committee does not recommend any action under this Article.

Article 23. To see if the Town will vote to appropriate a sum of money to construct 8 outdoor all-weather tennis courts at the new Junior High School; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Park and Recreation Department to see if the Town would appropriate approximately $85,000 to clear the necessary Town land and construct eight all-weather outdoor tennis courts at the new Junior High School.

While the Finance Committee is in general agreement that an outdoor recreation facility of this type is desirable and would, as the Park and Recreation Commission estimates, be heavily used, it is felt that in view of the other financial demands being placed on the Town this year, not the least of which is the expected increase in the total Town budget and the tax rate, this proposal should be deferred.

The Finance Committee does not recommend approval of the Article.

Article 24. To see if the Town will vote to accept the relocation and establish as a Town way with the boundaries and measurements shown in the order of the Road Commissioners filed in the office of the Town Clerk in accord with the provisions of G. L. Chapter 82, Sections 21-23 and chapter 80. Morse Road shown on a plan entitled "PLAN OF MORSE ROAD IN WAYLAND, MASS. SCALE 1 IN. = 30 FT. DECEMBER 10, 1973 APEX ASSOCIATES. LAND SURVEYORS NEWTON HIGHLANDS MASS." and more fully described as follows:

MORSE ROAD

Beginning at the intersection of the Southerly sideline of the Boston Post Road and the Westerly sideline of Morse Road at a stone bound shown on said Plan; thence

S65-24-00 E, forty-eight and 69/100 (48.69) feet, by the Southerly sideline of Boston Post Road; thence

S10-10-00 E, six hundred forty-six and 73/100 (646.73) feet; thence

SOUTHERLY,

WESTERLY AND

NORTHERLY, two hundred ninety-five and 79/100 (295.79) feet, along a curve to the right having a radius of 53.60 feet; thence

N10-10-00 W, six hundred seventy-four and 50/100 (674.50) feet, to the point of beginning.

MORSE ROAD EASEMENT

Beginning at a point one hundred thirty-seven and 835/1000 (137.835) feet Southerly along a curve having a radius of 53.60 feet from the intersection of the Southerly sideline of Morse Road and the property line between Brisson and Lyford; thence

EASTERLY, twenty and 12/100 (20.12) feet, along a curve to the left having a radius of 53.60 feet; thence

S10-10-00 E, two hundred thirty-one and 00/100 (231.00) feet to the centerline of the brook; thence

S79-50-00 W, twenty and 00/100 (20.00) feet by said centerline of the brook; thence

N10-10-00 W, two hundred thirty-one and 00/100 (231.00) feet, to the point of beginning;

to authorize the Road Commissioners to acquire, by purchase, eminent domain, gift, or otherwise for highway purposes the fee or any lesser interests as well as easements for drainage, slope or otherwise in any lands that may be necessary for such Town way; and to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, pursuant to G. L. chapter 80, the Betterment Act, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Selectmen and would authorize the improvement and paving of Morse Road and its acceptance as a Town Way. All twelve abutters have approved the proposal and have agreed to the betterment assessment under which the Town pays 50% and the abutters 50%. The estimated total cost of the project is $23,072 which amount will be appropriated under the

motion; the abutters will repay their 50% through a betterment assessment.

The Finance Committee recommends approval of the Article, subject to completion of the negotiations.

Article 25. To see if the Town will authorize the Road Commissioners to acquire by purchase, eminent domain, gift, or otherwise, for highway purposes a slope easement in a vacant parcel of land with the trees thereon on Stonebridge Road standing in the name of Metropolitan District Commission containing 5,679 square feet more or less shown on Plate No. 42 B of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. SHOWING PROPOSED LAND ACQUISITIONS IN RELATION TO SIDEWALK CONSTRUCTION ON STONEBRIDGE ROAD DECEMBER 11, 1972 SCALE: 1 IN. = 40 FT. WAYLAND ENGINEERING DEPARTMENT" recorded with Middlesex, South District, Registry of Deeds in Book 12523 at Page 162, and more fully described as follows:

Beginning at a point on the Southerly sideline of Stonebridge Road, N33-49-57 W, 30.00 feet from the property line between the Metropolitan District Commission and Anderson; thence

N48-52-53 W, one hundred sixteen and 89/100 (116.89) feet; thence
N31-57-34 W, one hundred sixty-five and 31/100 (165.31) feet; thence
N50-58-27 W, thirty-two and 26/100 (32.26) feet; thence
SOUTHEASTERLY, one hundred twenty-five and 20/100 (125.20) feet along a curve to the right having a radius of 300.0 feet; thence
S53-49-57 W, two hundred nineteen and 50/100 (219.50) feet, to the point of beginning;

together with any or all rights, title and interest of the owner or owners of the above-described premises in the streets and ways adjoining the same; to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the Road Commissioners and would authorize the Town to take by emminent domain a slope easement from the MDC. The easement will permit the proper grading around the Stonebridge Road sidewalk which was authorized at the 1973 Annual Town Meeting. No costs are involved.

The Finance Committee recommends approval of the Article.

Article 26. To see if the Town will authorize the Park and Recreation Commissioners to acquire by purchase, eminent domain, gift, or otherwise, for cemetery purposes the fee or any lesser interest in two parcels of land contiguous to the North Cemetery on Old Sudbury Road formerly standing in the name of Helen S. Stewart and Ralph A. Stewart, husband and wife, containing 4,000 square feet and 1.68 acres respectively more or less shown as Lots 2 and 3 on Plate No. 18 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND-MASS. SCALE 1 IN = 100 FT. — JULY 14, 1950. EVERETT M. BROOKS CO — CIVIL ENGRS. NEWTONVILLE-MASS." and recorded with Middlesex, South District, Registry of Deeds as Plan No. 197 of 1952 in Book 7865 at page END and more fully described in a deed to the Inhabitants of the Town of Wayland duly recorded with Middlesex, South District, Registry of Deeds on January 5, 1951 in Book 7692 at page 305; together with any or all rights, title and interest of the owner or owners of the above-described premises in the streets and ways adjoining the

same; to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the Park and Recreation Commissioners. The article would re-affirm the actions of the Town when it acquired the land in 1948 and 1952 for use by the North Cemetery. No costs are involved.

The Finance Committee recommends approval of the article.

Article 27. To see if the Town will amend its Zoning By-Laws by adding thereto the following Section or Sections entitled "PLANNED DEVELOPMENT," a copy of which is on file with the Town Clerk; or take any action relative thereto.

(The complete proposed amendment to the Zoning By-Laws regarding Planned Developments is printed in the rear of this Warrant, starting on page 73.)

RECOMMENDATION

This article was inserted in the Warrant at the request of the Planning Board and would authorize the creation of Planned Development Sites. A copy of the proposed By-law change has been included with the Warrant and the Finance Committee urges that each citizen read the proposed By-law.

The Planning Board has prepared a study of the economic impact of the project upon the Town, assuming that the first submission will contain a request for 320 to 448 condominium units. The economic study also assumes that this first submission would otherwise have built upon it 150 single family units. Based upon this analysis, the Finance Committee believes that construction on a condominium basis, rather than as single family units, will represent a net income gain to the Town. Any such economic study must deal with all town costs and revenues, but the most important determinants by far are the number of school children and the estimated sales prices of the condominium units to be built. While reasonable estimates on price and the number of children can be made, and have been made in the Planning Board study, there are only a few, if any, exactly similar projects from which hard data are available.

To request zoning hereunder, the owner must have at least 125 acres on one side of the street to qualify, and may build one to one and three-quarters living units per dry, buildable acre. The total number of bedrooms is fixed at twice the number of units constructed.

Under the proposed regulations, 35% of the land is given outright to the Town for any public use, 35% would be left open yet owned by private parties (such open land could be used for private enterprises such as farming, golf or recreation), and the remaining 30% would be directly associated with the condominium units and the surrounding amenities.

The By-Law would permit, if every qualifying parcel was developed in full, approximately 1200 units. Each parcel can only be developed after the Town, at a subsequent Town Meeting, has approved a specific plan by a two-thirds vote.

The economic benefits to the Town are, in the opinion of the Finance Committee, not so clear cut or so significant as to, of their own, be the sole basis upon which the Town should make its decision. Rather, the Town should view this change in planning as an opportunity to provide a different style of housing to approximately 25%

of the dwelling units in Town if all possible planned development sites are finally utilized.

Should this By-law be adopted, the Town could gain significant conservation and open areas on a legally permanent basis. At the same time, the population of the Town five years from now will be larger than it would have been, without such a By-Law. Further, the residential diversity of the Town of Wayland will be increased and it will be to some degree be changed.

The critical aspects of the decision facing the Town are not economic, but of land use and housing styles. While the Finance Committee favors the adoption of the article, it is concerned with the economic impact on the Town, should all of the potential land in the Town be placed under the new By-law too soon. Accordingly, the Town may wish to reserve judgement on the economic benefits of the new law until its experience with an initial project has been completed. The Planning Board will make a full report at Town Meeting.

The Finance Committee recommends approval of the By-law, but is not prepared to comment at this time upon the economic impact of all of the possible submissions.

Article 28. To see if the Town will vote to amend the Planned Development Section of the Zoning By-Laws, which may have been approved by vote of the 1974 Annual Town Meeting, by adding the following new paragraph to Section IX, paragraph C:

3. Convenience retail sales and service establishments, including, without limitation, neighborhood variety food stores and drug stores, but excluding gasoline service stations or fast food stores, provided that:
   (a) No more than one such establishment shall be permitted for each one hundred dwelling units constructed.
   (b) No such establishment shall occupy more than 2,000 square feet of space.
   (c) The Board of Zoning Appeals shall have endorsed its approval on a site plan of the establishment proposed pursuant to the provisions of Section X A of these Zoning By-Laws.
   (d) The Board of Zoning Appeals shall find that such an establishment meets the standards set forth in paragraph D below and the objectives set forth in paragraph A above.

or take any action relative thereto.

RECOMMENDATION

This article was inserted in the warrant at the request of the Planning Board.

The Planning Board will hold a public hearing and report to the Town at Town Meeting. The Town should be guided by its recommendations.

Article 29. To see if the Town will vote to approve as Planned Development Sites pursuant to applicable provisions of the Zoning By-Laws land hereinafter described owned by Devens H. Hamlen et al, or any portion or portions thereof, to wit:

Beginning at a point on the easterly side of Rice Road at the northwesterly corner of Lot 2A shown on Land Court Plan No. 16568 B, and thence running by the easterly side line of Rice Road as laid out by Order of Layout of Rice Road dated February 17, 1964, recorded with Middlesex, South District, Deeds, Book 10503, Page 69,

NORTH 12°13′36″ EAST, 240 feet, more or less, thence

NORTHEASTERLY on a curve to the right with a radius of 1979.55 feet a distance of 581.01 feet; thence
NORTH 29°02′36″ EAST 260 feet, more or less; thence
NORTHWESTERLY, across Rice Road, 50 feet; thence
WESTERLY, SOUTHWESTERLY, NORTHWESTERLY and WESTERLY again by the northerly line of a 50′ Right of Way, about 1500 feet, thence running
NORTHEASTERLY and NORTHWESTERLY by land of Sudbury Valley Trustees, Inc., 760 feet, more or less, 1030 feet, more or less, and 370 feet, more or less to the most northerly corner of said land, conveyed to Sudbury Valley Trustees, Inc. by deed dated December 27, 1957, recorded with said Deeds, Book 9083, Page 324; thence turning and running
NORTHEASTERLY about 2550 feet to a point on the westerly side of Rice Road at the southerly end of the bound on Rice Road described as "N 44-41-06 W six hundred fifty-four and 56-100 (654.56) feet" in said Order of Layout of Rice Road, and thence running by the westerly side line of Rice Road as so laid out,
SOUTHERLY on a curve to the right with a radius of 305.91 feet a distance of 387.99 feet, thence
SOUTH 27°59′08″ WEST, 400.71 feet, thence
SOUTHWESTERLY on a curve to the left with a radius of 1046.21 feet a distance of 297.97 feet, thence
SOUTH 11°40′02″ WEST, 259.03 feet, thence
SOUTHWESTERLY on a curve to the right with a radius of 631.23 feet a distance of 246.81 feet, thence
SOUTH 34°04′10″ WEST, 110.60 feet, thence
SOUTHWESTERLY on a curve to the left with a radius of 930.43 feet a distance of 60 feet, more or less; thence turning and running
NORTHWESTERLY, 425 feet, NORTH, 969.7 feet, WEST 270 feet, SOUTH, 450 feet, EAST, 120 feet, SOUTH, 395 feet, and SOUTHEASTERLY, 362 feet, by land of Broomstones, Inc., thence running
SOUTHWESTERLY, 170 feet, more or less, by land of Joseph Zaniboni et al., thence running
NORTHWESTERLY 70 feet, more or less. SOUTHWESTERLY 110 feet more or less and SOUTHEASTERLY 190 feet, more or less by land of Daniel J. Foley et al. to Rice Road, thence continuing
SOUTHEASTERLY across Rice Road, 50 feet; thence
NORTH 28°30′56″ EAST by the easterly side line of Rice Road, 210 feet more or less, thence
NORTHEASTERLY on a curve to the left with a radius of 1099.22 feet a distance of 60 feet; more or less; thence turning and running
SOUTHEASTERLY by land of David H. Morse et al., Trustees, 139.28 feet, thence
NORTHEASTERLY by Said land of Morse et al., 227.15 feet, thence
NORTHWESTERLY by Said land of Morse, et al., 137.44 feet, thence running again by the easterly side line of Rice Road.
NORTHEASTERLY on a curve to the right with a radius of 880.43 feet a distance of 40 feet, more or less, thence
NORTH 34°04′10″ EAST, 110.60 feet, thence
NORTHEASTERLY on a curve to the left with a radius of 681.23 feet a distance of 95 feet, more or less, thence running
SOUTH 58°41′35″ EAST, 162.93 feet, SOUTH 61°10′5″ EAST, 137.81 feet, NORTH 4°27′47″ EAST, 17.55 feet, NORTH 5°58′52″ EAST, 181.37 feet, NORTH 6°00′25″ EAST, 115.00 feet, and NORTH 76°33′5″ WEST, 232.67 feet, all by land of Henry B. W. Snelling et al. shown as lot 2D on Land Court

Plan No. 16568E, thence running again by the easterly side line of Rice Road,

NORTH 11°40′02″ EAST, 200 feet, more or less, thence

NORTHEASTERLY on a curve to the right with a radius of 996.21 feet a distance of 283.73 feet, thence running

SOUTHEASTERLY by the land of Church of the Holy Spirit, Inc. on a curve to the left with a radius of 40.00 feet a distance of 54.94 feet, thence

SOUTH 60°33′09″ EAST, 114.94 feet, SOUTHEASTERLY on a curve to the left with a radius of 275.00 feet a distance of 44.80 feet, SOUTH 69°53′09″ EAST, 74.80 feet, NORTH 73°48′32″ EAST, 275.00 feet, NORTH 35°48′33″ EAST, 133.53 feet, NORTH 8°33′31″ WEST, 412.12 feet, SOUTH 85°16′37″ WEST, 50.00 feet, and NORTH 46°12′03″ WEST, 173.41 feet, all by land of said Church shown as lot 1 on Land Court Plan No. 6779B and lot 2 on Land Court Plan No. 6779C; thence running again by the easterly side line of Rice Road,

NORTH 45°37′45″ WEST, 211.98 feet; thence running

NORTH 31°24′52″ EAST by land of Devens Hamlen et al. 455.87 feet as shown on Land Court Plan No. 16568A

NORTH 83°45′25″ EAST, 47.66 feet, NORTH 45°31′35″ EAST, 470.46 feet, NORTH 3°13′39″

WEST, 318.66 feet, SOUTH 82°39′13″ EAST, 159.28 feet, NORTH 87°38′17″ EAST, 38.58 feet and NORTH 70°22′57″ EAST, 58.14 feet all by land now or formerly of Weston Estates Corp., thence running

SOUTH about 3° EAST by the Wayland-Weston town line, as shown on Land Court Plan No. 16568A and Land Court Plan No. 6779A, about 6700 feet in all, thence running

NORTHWESTERLY by the Wayland-Natick town line and by land now or formerly of Einar P. Robsham et al., about 2970 feet, thence running

NORTH 11°47′20″ EAST by Lots 2A, 2B and 2C, and land now or formerly of Davlin, as shown on Land Court Plans No. 16568B and 16568D, 874.98 feet, thence running

NORTH 79°18′40″ WEST, 57.00 feet, NORTH 76°3′5″ WEST, 118.97 feet, and NORTH 73°55′25″ WEST, 219.54 feet, by said Lot 2A to the point of beginning.

Subject to the effect of said Order of Layout of Rice Road; containing about 362 acres of land.

or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant by a citizens petition carrying 12 signatures. The petitioners seek hereby to undertake the process of obtaining Town Meeting approval of a Planned Development Site for "Mainstone". The petition seeks to obtain that approval now in the event that the Town Meeting shall have previously approved the Planned Development By-law.

The Planning Board will hold a public hearing and report to the Town at Town Meeting. The Town should be guided by its recommendation.

Article 30. To see if the Town will amend its By-Laws by adding the following new Article thereto:

"ARTICLE 23. NOISE CONTROL AND ABATEMENT.

Section 1. No person shall cause excessive noise in the Town of Wayland.

Section 2. The Selectmen shall control and or abate excessive noise from whatever source in the Town of Wayland.

Section 3. In order to exercise the authority conferred upon them by this By-Law, the Selectmen must receive a petition signed by two or more residents of the Town which shall recite that the person or persons who have created the noise complained of, or permitted said noise to continue, has refused a written request to control or abate the same.

Section 4. Within five days after receipt of such a petition, the Selectmen shall appoint a time and place for hearing, first giving written notice thereof by certified mail to the petitioners, to the person or persons complained of in said petition, and to any other persons who may be affected by the said proceedings, including the owners or tenants of all parcels of land abutting the source of the offending noise.

Section 5. At the time and place appointed therefor, the Selectmen shall hear the parties and thereafter may order such excessive noise to be controlled or abated by written notice duly served upon the person deemed responsible for the offending noise by certified mail, if the board, after hearing, shall find that:

a. The noise complained of is not the result of a single isolated incident;

b. It exceeds by a significant quantum the level of noise emanating from other property in the area;

c. It is likely to recur or continue; and

d. The noise or its continuation will deprive any person of the quiet enjoyment of his property.

Section 6. Any person who shall violate an order of the Selectmen duly promulgated under this Article shall be subject to the pains and penalties provided by Article 20 of these By-Laws.";
or take any action relative thereto.

RECOMMENDATION

This Article was inserted on the signature of more than ten citizens to see if the Town will amend its By-Laws by adding a noise control and abatement ordinance. While sympathetic to the problem of noise control, the Finance Committee believes the By-Law suggested in this Article would place upon the Selectmen a major responsibility which they would have neither the time, nor the capability to adequately fulfill. The standards (or the lack thereof) expressed in the By-Law would in our opinion be unworkable. No other town has, to our knowledge, attempted to enact a broad noise abatement By-Law such as this, and there are other remedies available to those who are afflicted by a noise nuisance.

The Finance Committee does not recommend approval of the article.

Article 31. To see if the Town will vote to appropriate a sum of money for planning, constructing, originally equipping and furnishing an addition to the main library building and for remodeling space within the existing building to provide additional space and facilities to meet the expanding library needs of the Town; to determine whether such an appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Library Building Planning Committee, and would authorize the expenditure of $15,000 for preliminary design of a library addition at a total

project cost now estimated at $475,000. The funds requested under this article would supplement the $4,000 appropriated at the last Annual Town Meeting. Any funds appropriated hereunder will reduce directly the final design fee for the project. Borrowing and the major expenditures must be authorized at a subsequent Town Meeting.

The Finance Committee recommends approval of the article.

Article 32. To see if the Town will amend its By-Laws by adding the following new section to Article 6:

"Section 8 Every person who engages in a temporary or a transient business selling goods, wares, periodicals, or merchandise or who goes door-to-door for any commercial purposes, either as principal or agent, shall, before commencing business in the Town of Wayland, make written application, under oath, for a license to the Chief of Police stating his or her name and address, the name and address of the owner or parties in whose interest said business is to be conducted, their business address, and a brief description of the business he wishes to conduct in Wayland. He shall permit the Police Department to photograph him and to take his finger prints for the purpose of identification.

No later than one week after the filing of such application, the Chief shall issue him a license in the form of a badge showing the name and a photograph of the licensee authorizing him to do the business described in his application subject to the By-Laws of the Town of Wayland and the laws of the Commonwealth of Massachusetts. The fee for such a license shall be five dollars and it shall expire one month from the date thereof or on the day of its surrender or of the filing of an affidavit of its loss if it is earlier surrendered or if such affidavit is earlier filed.

Such license shall be affixed in a prominent place to the outer garment of each licensee whenever he or she shall be engaged in such business so that it may readily be seen by all prospective customers.

Failure so to display the license shall be punishable by revocation thereof and a fine in accord with Article 20 of these By-Laws.

The provisions of this section shall not apply to any person conducting a "garage sale" nor to any person who goes door-to-door to sell goods, wares, periodicals, or merchandise on behalf of any group organized for any of the purposes described in G. L. chapter 180, section 2." or take any action relative thereto.

RECOMMENDATION

This Article, inserted at the request of the Selectmen, is intended to help solve a problem of long standing experienced by the Police Department. The registration is intended to formalize the identity and financial parties at interest of those who wish to sell door-to-door in Town. It provides for the licensing of door-to-door salesmen who may be making calls for commercial purposes, but does not require licensing of individuals calling for charitable, political, or school activities. One week after receipt of the complete application form, issuance of the permit by the Police Department is automatic, rather than discretionary. A similar article was defeated at last year's Town Meeting. The addition of a reference to Chapter 180, Section 2 should meet the objections then stated. Chapter 180, Section 2 exempts from coverage

". . . any civic, educational, charitable, benevolent or religious purpose; for the prosecution of any antiquarian, historical, literary, scientific, medical, artistic, monumental or musical purpose; for establishing and maintaining libraries; for supporting any missionary enterprise having for its object the dissemination of religious or educational instruction in foreign countries; for promoting temperance or morality in the commonwealth; for encouraging athletic exercises or yachting; for encouraging the raising of choice breeds

of domestic animals or poultry; for the association and accommodation of societies of Free Masons, Odd Fellows, Knights of Pythias or other charitable or social bodies of a like character and purpose; for the establishment and maintainance of places for reading rooms, libraries or social meetings; for establishing boards of trade, chambers of commerce and bodies of like nature."

The Finance Committee recommends approval of the article.

Article 33. To see if the Town will amend its By-Laws by adding the following article thereto:

"ARTICLE 24 ALCOHOLIC BEVERAGES

No person shall consume any alcoholic beverage, as the same is defined in G. L. chapter 138, section 1, while in or upon a public way or a way to which the public has a right of access. No person shall possess any such alcoholic beverage upon any land or premises owned by the Town of Wayland, or appropriated by it to public use for any municipal purpose. Any police officer, who shall observe the consumption or possession of any such beverage in any such place shall be authorized to seize the same and convey the same to some place of security where such beverage shall be kept until the entry of a court order pertaining thereto."; or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant by the Selectmen; it would prohibit the consumption of alcohol on any public land, street, park, etc. The police have experienced some difficulty in responding to complaints of neighborhood nuisances and abuses in the absence of such a regulation.

The Finance Committee recommends approval.

Article 34. To see if the Town will authorize the Selectmen, with the approval of the Town Counsel as to form, to release the following restriction from the title to Lots 25, 26, 31 and 32 on Doran Road, lots which had been acquired by the Town by foreclosure of tax titles and which were conveyed to Mary M. Malger as a result of a public auction held on June 9, 1962 for $179.68, bid by her:

"The said premises are conveyed subject to the restriction that for a period of 50 years from the date of this deed no building or structure except a garage or other building which is accessory to a dwelling located on an adjoining parcel under common ownership, or additions to or new construction to replace such dwelling or accessory building, shall be built or placed on said premises unless the then applicable area and frontage requirements of the zoning By-Law, without reference to exceptions or variances granted by the Zoning Board of Appeals, any other Board or court, are complied with. Said restriction is imposed for the benefit of all remaining land of the grantor in the districts known as Beechwood, Wayland Manor, Dudley Lake Shores A, Dudley Lake Shores B, Castle Gate South, Woodland Park."

RECOMMENDATION

This Article was inserted in the Warrant on the signature of 115 citizens. Mrs. Malger presently owns six vacant lots in a row along Doran Road with a total area of 33,181 square feet. The minimum square footage for a building lot in this area of Town is 20,000 square feet. Two of the parcels (about 5,500 square feet each and being the second lot in from each end of the row of six parcels) were purchased from the Town in 1962 at a tax title sale for $207.00 subject to the restriction that nothing more than a garage could be built thereon for

a period of fifty years. The purpose of this restriction was to prevent the subdivision of the six parcels into two separate building lots. Subsequently Mrs. Malger petitioned the Zoning Board of Appeals for a variance to subdivide the six parcels into two separate lots. This variance was granted but again subject to the notation by the Zoning Board of Appeals that the restriction on future building still existed.

Mrs. Malger now seeks to create two separate, sub-standard building lots, which is contrary to the Town's long-standing policy with respect to its purchase and sale of small parcels of land.

The Finance Committee does not recommend approval of the Article.

Article 35. To see if the Town will vote to amend the Zoning By-Laws, of the Town of Wayland, by changing from Residential 120′ frontage 20,000 sq. ft. area to Business District B the parcel of land on Main Street, bounded and described as follows: Beginning at a stake and stones at the southeasterly corner of the premises formerly owned by Frank Rosen, on said North Main Street, thence running westerly by land now owned by Gerard W. Finnerty formerly of Corliss heirs, 69 feet to a stake and stones at land now owned by Onis J. Savoy formerly Hammond, thence northerly by said Savoy land 102 feet to a stake and stones at other land now or formerly of said William Hammond, thence easterly by said other land of said Hammond 70 feet to a stake and stones at said North Main Street, thence southerly by said North Main Street 102 feet to the place of beginning the land with building thereon known at Lot #160 Main Street, containing 8200 sq. ft. more or less.

RECOMMENDATION

This Article was inserted in the Warrant by a petition carrying more than ten signatures. It calls for rezoning of a parcel of land on Main Street from Residential to Business District B for the purpose of permitting an auto repair shop.

The Planning Board will hold a public hearing and report to the Town at the Town Meeting. The Town should be guided by its recommendations.

Article 36. To see if the Town will vote to amend the Zoning By-Laws of the Town of Wayland by changing from Residential, 120′ frontage 20,000 square feet area to Business District B, the parcel of land on Main Street, bounded and described as follows:

Beginning at a stone bound at the Northeasterly corner of land now or formerly of one. Carter, and at line of said Main Street;

Thence running Westerly by said Carter's land, seventy and eighty-five one hundredths (70.85) feet and by land now or formerly of William Hammond, two hundred thirty-six and seventy-five one hundredths (236.75) feet to a stone bound at land now or formerly of Coggin and Underwood:

Thence turning and running Northerly by said Coggin and Underwood land, one hundred forty-seven and two tenths (147.2) feet, to a stone bound at land now or formerly of William M. Fullick;

Thence turning and running Easterly by said Fullick land, and land now or formerly of L. O. Whitman, two hundred ninety-two and six tenths (292.6) feet, to a stone bound at the Street before mentioned;

Thence turning and running Southerly by line of said Main Street, one hundred fifty-six and sixty-eight one hundredths (156.68) feet to the place of beginning: be any of said measurements more or less.

RECOMMENDATION

This Article was inserted in the Warrant by a petition carrying more than ten signatures. It calls for rezoning of a parcel of land on Main Street from Residential to Business District B.

The Planning Board will hold a public hearing and report to the Town at the Town Meeting. The Town should be guided by its recommendation.

Article 37. To see if the Town will vote to amend the Zoning By-Laws of the Town of Wayland, by changing from residence to business district (B) a parcel of land on West Plain Street, bounded and described as follows:

Beginning at an iron pipe at junction of West Plain Street and land now of Gerald Finnerty, formerly Mary A. Griffin, thence running northerly along said land of Gerald Finnerty; one hundred and seventy-two (172) feet to an iron pipe at the other land of said Finnerty, formerly land of Griffin; thence running westerly along land of David Connolly, formerly Luther Hall, thence running southerly along said land of Connolly, one hundred sixty-nine (169) feet to an iron pipe at West Plain Street, thence running easterly along said West Plain Street, ninety (90) feet to the point of beginning.

The land with the building thereon known as lot #39 West Plain Street, Wayland, containing 12,600 square feet of land, more or less.

RECOMMENDATION

This Article was inserted inthe Warrant by a petition carrying the signatures of more than ten citizens. It calls for the rezoning of a parcel of land on West Plain Street occupied by the Paul C. Hooper Company, Inc. from Residential to Business District B.

The Planning Board will hold a public hearing and report to the Town at the Town Meeting. The Town should be guided by its recommendations.

Article 38. To see if the Town will vote to instruct the Planning Board to call a public hearing, pursuant to the provisions of G. L. chapter 166, section 22 B, to ascertain whether the public safety, health, convenience or welfare would be advanced by a program (a) prohibiting new installation or construction of or (b) requiring progressive removal of poles or overhead wires and associated overhead structures within all or any part or parts of the Town of Wayland and to report its findings, conclusions and recommendations to the next Town meeting; or take any action relative thereto.

Note: The full text of G.L. 166 section 22 B has been reprinted on page 66 of the warrant.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Selectmen and looks toward the placing of some electric and telephone wires underground. The additional costs incurred would be paid through a 2% increase in the monthly utility bills. This article would authorized the Planning Board to begin negotiations with the utilities involved, establish the streets involved, the poles to be removed, the costs and the time table. A subsequent Town Meeting may then adopt that plan and authorize the 2% additional surcharge.

The Finance Committee recommends approval of the article.

Article 39. To see if the Town will vote to request the Board of Selectmen to terminate the lease on the Town Computer (NCR Century

50 at the Old Junior High), and that funds for lease of this equipment beyond March of 1974 not be included in the 1974-75 budget.

RECOMMENDATION

This Article, inserted on the signature of twelve citizens, seeks to ask for a vote of the Town to terminate the lease on the NCR century 50 Computer now in use by the Town Administration at the old Junior High School. After a hearing with a spokesman for the petitioners, the Board of Selectmen, the School Committee and the Finance Committee are in agreement that it would not be appropriate to terminate the lease at this time in view of the services that the Town is now receiving from the computer. However, a review by an outside expert seems desirable near the end of calendar 1974 when the existing list of program objectives should be complete.

The Finance Committee has included an item in the Town Office Budget for an audit of the computer facility prior to the next Annual Town Meeting. That audit would determine the desirability of continuing the leasing of the computer as compared to obtaining these services from an outside service bureau.

The Finance Committee does not recommend the approval of the Article.

Article 40. To see if the Town will amend its Zoning By-Laws by deleting the following words from SECTION XA (a):

"Said site plan shall show, among other things, all existing and proposed buildings, structures, parking spaces, driveway openings, driveways, service areas, and other open uses, all facilities for sewage, refuse and other waste disposal and for surface water drainage, and all principal landscape features (such as fences, walls, planting areas and walks) on the lot. Signs and exterior lighting, except for seasonal display of lights for the purpose of the celebration of holidays, must be included in all site plans."

and by inserting the following in their place:

"Said site plan shall include the information listed below unless otherwise permitted by the Board of Appeals. Preliminary site plans may be submitted without application where deemed appropriate by the Board of Appeals.

1. A site plan suitable for recording and showing all existing and proposed lot lines. easements, rights-of-way, and other matters then on record at the Middlesex, South District, Registry of Deeds concerning the physical description of the premises, natural land features such as topographical data , man made improvements (surface and sub surface) including all structures, water courses, ponds, brooks, wetlands, flood plains, existing and proposed ditches, culverts, or other water courses, methods of handling surface and sub surface drainage, ways for vehicular and pedestrian access, and such other information as the Board of Appeals may require.

2. Evaluation of impact on water resources. The applicant shall submit such material as may be required including measures proposed to prevent pollution of surface or ground water, erosion of soil, excessive run-off of precipitation, excessive raising or lowering of the water table, flooding of other properties.

3. Evaluation of impact on landscape. An explanation, with sketches as needed, of design features intended to integrate the proposed new buildings, structures, plantings, etc. into the existing landscape to preserve and enhance existing aesthetic assets of the site, to screen objectionable features from neighbors.

4. Evaluation of impact on traffic in the vicinity of site.
   a. Traffic Impact Evaluation. The projected number of motor vehicle trips to enter or depart from the site shall be estimated for an average day and peak hours.
   b. The projected traffic flow patterns for both vehicular and pedestrian access shall be described and related to the site plan, including vehicular movements at all major intersections likely to be affected by the proposed use of the site.
   c. The impact of this traffic upon existing streets shall be evaluated in relation to road capacities.

5. Evidence of approval by the Board of Health where required." or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Planning Board and would authorize the Zoning Board of Appeals to require, when appropriate, certain additional information from applicants. The requirements apply to commercial and business areas for substantial changes.

The Finance Committee recommends approval of the Article.

Article 41. To see if the Town will authorize the Selectmen with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Roderick B. and Dorothy R. Young a vacant parcel of land with the trees thereon, but subject to utility easements, on Hawthorne Road containing 3,443 square feet more or less and shown as a portion of Lot 86 on Plate 46 B of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. PROPOSED TO BE TRANSFERRED TO RODERICK B. & DOROTHY R. YOUNG JUNE 24, 1973 SCALE: 1 IN = 20 FT. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

Beginning at a point on the Southerly sideline of Hawthorne Road, S84-00-00 W, fifteen and 38/100 (15.38) feet from a point of curvature of the curve at the property line between the Town of Wayland and Roderick B. & Dorothy R. Young; thence

S19-47-54 E, seventy-three and 90/100 (73.90) feet; thence
S12-58-10 W, fifty-five and 00/100 (55.00) feet; thence
N77-01-50 W, forty and 00/100 (40.00) feet; thence
N12-58-10 E, one hundred seventeen and 14/100 (117.14) feet, to the point of beginning;

reserving, however, to the Town an easement in said land to construct and maintain a water main, in a form acceptable to the Town Counsel; to specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Board of Selectmen to see if the Town would sell a small parcel of land containing 3,443 square feet to the abutters on Hawthorne Road, Roderick B. and Dorothy R. Young. The parcel to be conveyed consists of only part of a number of parcels of land owned by the Town abutting each other on this location. The cost to the Town of the parcel in question was $117.00. While the price agreed upon of $750.00 is reasonable, the sale of this small parcel without a plan for the use or disposition of the rest of the parcel will restrict the Town's options in the future.

For the foregoing reasons, the Finance Committee does not recommend approval of the Article.

Article 42. To see if the Town will authorize the Selectmen with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Salvatore T. & Lily M. Lesanto a vacant parcel of land with the trees thereon on Hawthorne Road and Chestnut Street originally taken for recreational purposes containing 2,282 square feet more or less and shown as a portion of Lot 100 on Plate 46B of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. SHOWING PROPOSED TRANSFER OF LAND FROM THE TOWN OF WAYLAND TO SALVATORE T. & LILY M. LESANTO FEBRUARY 5, 1974 SCALE: 1 IN. = 20 FT. WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

Beginning at a point 75.75 feet SOUTHERLY of the intersection of the Southerly sideline of Chestnut Road and the Easterly sideline of Hawthorne Road as measured along said Easterly sideline of Hawthorne Road at the property line between the Town of Wayland and Lamont, thence;

NORTHERLY, forty-six and 99/100 (46.99) feet, along a curve to the left having a radius of 361.04 feet by the Easterly sideline of Hawthorne Road, thence;

N15-46-10 W, zero and 77/100 (0.77) feet by said sideline of Hawthorne Road, thence;

NORTHEASTERLY, thirty-eight and 01/100 (38.01) feet, along a curve to the right having a radius of 20.00 feet, thence;

S86-52-04 E, ten and 92/100 (10.92) feet by the Southerly sideline of Chestnut Road, thence;

S5-47-40 E, seventy-five and 38/100 (75.38) feet to land of Lamont, thence;

N83-12-25 W, thirty and 15/100 (30.15), to the point of beginning.

To specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Board of Selectmen to see if the Town would approve the sale of a vacant parcel of land at the corner of Chestnut and Hawthorne Roads containing 2,738 square feet to Salvatore T. and Lily M. Lesanto. The land in question cost $1,420 when acquired under Article 16 of the 1960 Annual Town Meeting; 430 square feet of the parcel were used on the Hawthorne Road betterment, leaving a net amount of 2,738 square feet which are the subject of this Article. The Selectmen and the Lesantos have agreed on a price of $600.

The Finance Committee recommends approval of the Article.

Article 43. To see if the Town will amend its Zoning By-Laws by deleting paragraph 4 under sub-section (a) of Section X as follows:

"4. To permit conversion of a one-family house existing at the time this By-Law is adopted into a two-family house.";

by inserting the following in place thereof:

"4. To permit conversion of a one-family house existing on September 5, 1934 into a two-family house.";

or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Planning Board and would correct a drafting error in the recodification of the Town's By-Laws as adopted at the last Town Meeting. This correcting amendment will return the language defining an eligible one-family house to the language existing prior to the March 1973 Town Meeting vote. If adopted now, the matter will stand as it has stood since 1934.

The Finance Committee recommends approval of the article.

Article 44. To see if the Town will amend its Zoning By-Laws by inserting the following new section after SECTION III A:

"Section III B. A watershed Protection District is shown, defined, and bounded on a map on file with the Town Clerk entitled 'WAYLAND WATERSHED PROTECTION DISTRICT DECEMBER 15, 1966 MACARTHY ENGINEERING SERVICE INC. NATICK, MASS. WESTBOROUGH, MASS.'"

or take any action relative thereto.

RECOMMENDATION

This article was submitted by the Conservation Commission at the suggestion of Town Counsel and with the concurrence of the Planning Board. The 1967 Annual Town Meeting, under Articles 16 and 17, established the Watershed Protection District and adopted zoning regulations pertaining thereto, but did not insert the description of the district into Section III of the Zoning By-Law, which is entitled "Districts Defined." The purpose of this article is to correct that omission; it makes no changes in the boundaries of the District or in the regulations.

The Finance Committee recommends approval of the article.

Article 45. To see if the Town will authorize the Conservation Commission to acquire by purchase, eminent domain, gift, or otherwise, for conservation purposes, including outdoor recreation, the fee or any lesser interest in a vacant parcel of land with the trees thereon, without street frontage, standing in the name of E. R. Linn Bldrs. Inc., containing 5.301 acres more or less, shown as lots 12 & L on Plates 20 and 25 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "SUBDIVISION PLAN OF LAND IN WAYLAND, MASS. SCALE: 1 IN. = 40 FT. DEC. 10, 1969 EVERETT M. BROOKS CO. CIVIL ENGINEERS NEWTONVILLE & WAYLAND MASS." and recorded with Middlesex, South District, Registry of Deeds as Plan Number 253 of 1970 in Book 11812 at page 218 and more fully described as follows:

Beginning at a point at S64-08-00 E, two hundred ninety and 00/100 (290.00) feet from a point on the Easterly sideline of Coolidge Road at the property line between lot 5 and lot 6; thence

N15-58-05 E, two hundred thirty-three and 00/100 (233.00) feet; thence

N3-145-30 E, two hundred nine and 33/100 (209.33) feet; thence

S79-41-45 E, one hundred twenty-one and 06/100 (121.06) feet, by land now or formerly Rowan; thence

S62-36-30 E, eighty-three and 49/100 (83.49) feet, to the Wayland, Weston Town Line; thence

S09-36-38 W. seven hundred forty-seven and 72/100 (747.72) feet, along said Town Line to land of the Boston & Maine R.R.; thence

N84-33-50 W, two hundred ninety-two and 28/100 (292.28) feet by land of said Railroad; thence

N63-56-54 W, one hundred twenty-seven and 71/100 (127.71) feet; thence

N47-16-20 E, two hundred two and 71/100 (202.71) feet; thence

N04-38-15 E, one hundred seventy-four and 55/100 (174.55) feet to the point of beginning;

to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropiation from available funds, by borrowing under the provisions of Chapter 44 of the General Laws, or otherwise; or to take any action relative thereto.

RECOMMENDATION

This article is submitted by the Conservation Commission to give the Town an opportunity to take by eminent domain a parcel of land

from E. R. Linn Builders, Inc. thereby clearing title to land that Linn Builders previously agreed to convey to the Town. This is a small parcel of wetland which was to be given to the Town as a part of the subdivision on Coolidge Road. The Town does not have to pay for the land and if any expenditures are required they will be nominal, having to do with the taking, recording of title and related matters.

The Finance Committee recommends approval of the article.

Article 46. To see if the Town will authorize the Conservation Commission to acquire by purchase, eminent domain, gift, or otherwise, for conservation purposes including outdoor recreation, the fee or any lesser interest in a vacant parcel of land, with the trees thereon, without street frontage, standing in the name of Sudbury Valley Trustees, Inc., containing 17.69 acres more or less, shown on Plate 15 of the Town Atlas as well as Lot 5 on a plan entitled "PLAN OF LAND IN WAYLAND, MASS. (OWNED BY: SWIEDLER BUILDING CORP.)", DATED SEPTEMBER 24, 1973, BY EVERETT M. BROOKS CO., CIVIL ENGINEERS, and bounded and described as follows:

SOUTHEASTERLY, by lands shown on said plan as of Pitts, D'Amonville, Furcolo, and Iber, by five lines measuring respectively 376.34 feet, 70.00 feet, 265.19 feet, 76.84 feet, and 3.96 feet;
SOUTHWESTERLY, by lands shown on said plan as of Freeburn and Whipple, by four lines measuring respectively 149.50 feet, 172.95 feet, 256.60 feet, and 254.56 feet;
NORTHWESTERLY, by Lot 4 shown on said plan, now owned by the Town of Wayland, 570.00 feet;
NORTHERLY, by the same, 180.00 feet;
NORTHEASTERLY, by the same, by three lines measuring respectively 85.00 feet, 250.00 feet, and 210.00 feet;
EASTERLY, by the same, 286.13 feet;
SOUTHEASTERLY, by land shown on said plan as of Crowell, 165.00 feet; and
NORTHEASTERLY, by the same, 191.76 feet;

together with any or all rights, title, and interest of the owner or owners of the above-described premises in land between the end of Squirrel Hill Road and said premises, particularly those areas shown and designated as "Access Easement 7794 S.F." and "Access Easement 4772 S.F." on a plan entitled "PLAN OF LAND IN WAYLAND - MASS." DATED AUGUST 10, 1973, BY EVERETT M. BROOKS CO., CIVIL ENGINEERS," to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of Chapter 44 of the General Laws, or otherwise; or to take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Conservation Commission to see if the Town will acquire for conservation purposes a parcel of land containing approximately 17 acres which is part of a larger parcel which has generally been known as the "Scholz parcel," located near the corner of Glezen Lane and Draper Road. Of the nearly 60 acres in the parcel, 45 were marked for acquisition on the original Conservation Master Plan. The Conservation Commission placed a high priority on this acquisition, but never succeeded in persuading the Scholz family to sell. In 1972 the Swiedler Building Co. (the "Company") secured an option on the parcel and submitted a preliminary subdivision plan. There ensued a period of negotiation, culminating in Article 22 at the October 1972 Town Meeting, under which the Conservation Commission asked the Town to take the 45-acre tract (which the Company was not willing to sell) by eminent domain at an expected cost of $250,000. The Town Meeting rejected the motion to acquire the whole 45 acres, but did approve a motion to

purchase for $160,000 a 26-acre portion of the tract, which the Company was willing to sell.

The Company's offer to sell the 26-acre portion was contingent upon Planning Board approval of a sub-division of the remaining parts of the Scholz parcel. This in turn depended upon the Company's gaining control of the so-called "plugs" at the end of Three Ponds Road and of Squirrel Hill Road. The owners of the plugs refused to give up their interest in the plugs, although they said they would gladly do so if the adjacent Scholz land were dedicated to conservation purposes. More negotiations ensued, and eventually the Company offered to sell, for conservation purposes, not only the 26-acre portion but also 17 acres of the remaining Scholz land adjacent to the 26-acre portion, for a total of $250,000. The total area offered included all but about two acres of the 45-acre tract marked for acquisition on the Conservation Master Plan.

The Company stated that the whole area offered must be sold at one time, and that it could not hold its offer open until the next Town Meeting. Therefore, the Conservation Commission asked the Sudbury Valley Trustees to purchase the 17-acre portion for $90,000 simultaneously with the Town's purchase of the 26-acre portion for $160,000. The Trustees agreed to do so, but made it clear that they could not afford to leave their capital tied up in the parcel for the indefinite future. The Commission agreed to ask the Town to purchase the land from the Trustees. Accordingly, the sale of the 17 acres to the Trustees by the Company was completed on October 10, 1973.

The purpose of this article is to see if the Town will purchase the 17 acres from the Sudbury Valley Trustees at their cost of $90,000. The land has no street frontage, but carries a right of way, equivalent to a street from the end of Squirrel Hill Road. Funds for this purchase will be raised from borrowings authorized at the March 1973 Town Meeting. If the Town approves the purchase under this Article, the owners of the plug at the end of Three Ponds Road will, under the following Article in the Warrant, donate it to the Town thus providing a second access.

The Finance Committee recommends approval of the Article.

Article 47. To see if the Town will authorize the Conservation Commission to acquire by gift for conservation purposes including outdoor recreation the fee or any lesser interest in a vacant parcel of land with the trees thereon, on Three Ponds Road, standing in the names of Brenton H. Dickson 3rd and Edward M. Dickson, containing 2585 square feet more or less, shown on Plate Number 15 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF LAND IN WAYLAND, MASS. SHOWING LAND AT ENDS OF THREE PONDS ROAD AND SQUIRREL HILL ROAD AUGUST 28, 1972 SCALE: 1″ = 50′ WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

Beginning at a point at the northerly corner of Lot 26 at land formerly of the Heidi S. Donaldson Trust, now of Sudbury Valley Trustees, Inc., N27-48-32 W, 51.51 feet from a drill hole on the easterly line of Lot 26; thence

SOUTHWESTERLY, fifty-nine and 77/100 (59.77) feet along a curve to the right having a radius of 424.56 feet; thence

NORTHWESTERLY, fifty-two (52) feet more or less along a curve to the right having a radius of 50 feet to the southerly property line of Lot 25; thence

NORTHEASTERLY, fifty-nine and 35/100 (59.35) feet along a curve to the left having a radius of 374.56 feet to said land of the Sudbury Valley Trustees, Inc.; thence

S27-48-32 E, fifty-one and 05/100 (51.05) feet to the point of beginning;

together with any or all rights, title, and interest of the owners of the above-described premises in the streets adjoining the premises; or to take any action relative thereto.

RECOMMENDATION

This article was also inserted in the Warrant by the Conservation Commission to see if the Town will accept a gift from Brenton H. Dickson, III and Edward M. Dickson, of one of the so-called "plugs" in connection with the acquisition of the Conservation land under the preceding article. The parcel to be accepted as a gift hereunder consists of approximately 2,585 square feet of land and abuts both the turning circle at the end of Three Ponds Road and the land acquired from the Sudbury Valley Trustees under the preceding article. The gift hereunder is made on the condition that the land will be acquired under the preceding article. This parcel will provide public access from Three Ponds Road to the Conservation land.

The Finance Committee recommends approval of the article.

Article 48. To see if the Town will vote to appropriate $18,000.00 to purchase an ambulance; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This and the following article were inserted in the Warrant on the petition of more than ten signatures each to see if the Town will continue the operation of the ambulance service presently being conducted by the Fire Department through the purchase of an ambulance for the sum of $18,000 and an appropriation of $12,000 for annual operating expenses.

For a few months in 1973 ambulance service was provided to the Town by a private company which stationed an ambulance and a driver at the Town Hall. The ambulance company was to be subsidized by the Town until the volume of private ambulance business grew to the point where the service would be self-sustaining. This point was not reached and in September the Selectmen and the Finance Committee agreed to the lease of an ambulance to be manned by members of the Fire Department on an experimental basis. This and the following article now seek to make this a permanent service provided by the Town.

The Town on July 1, 1974, can buy the 1969 Cadillac ambulance for $1200 the lease payments of $600 a month for the prior eight months being credited towards the total purchase price of $6,000. This ambulance is in good shape and the Board of Selectmen and the Finance Committee are in agreement that it would be appropriate to use this ambulance for another year or two to gain more experience with the operation of the ambulance service before committing the Town to the expenditure of $18,000 for a new ambulance.

The Finance Committee therefore recommends subject to ongoing negotiations, approval of this article only to the extent of the expenditure of $1,200 to purchase the 1969 Cadillac ambulance.

Article 49. To see if the Town will vote to appropriate $12,000.00 to operate and maintain an ambulance; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

As discussed under the preceding Article, this Article seeks the appropriation of $12,000 for the purpose of manning the ambulance by members of the Fire Department and related operating costs.

The present procedure within the Fire Department for manning the ambulance calls for two firemen who are on regular duty to respond with the ambulance in the case of a request for service. To maintain Department coverage for fire emergencies, two off-duty firemen must be called back to cover the two firemen who are involved with the ambulance run. The appropriation under this Article represents primarily the salary expense of the call-back men for approximately one ambulance run per day, in line with experience to date.

The Finance Committee thereby recommends appropriation of the full $12,000 under this Article.

Article 50. To see if the Town will accept by gift the out-building, formerly the Williams Coal Company Office, which has been located at 81 Damon Street, and the sum of $100, and to see if the Town will appropriate a sum or sums of money for the purposes of relocating said building on and owned by the Town, and to see what Board, Commission, or other agency of the Town should have jurisdiction and responsibility for said building, or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by a petition containing more than 10 signatures to see if the Town will (1) accept by gift the small building formerly known as The Williams Coal Company Office and the sum of $100 from Mrs. Kenneth Crosby; and (2) to appropriate approximately $1,900 towards the cost of moving the building from Damon Street to the Hannah Williams Playground and (3) to determine what Town Board should have the responsibility for the maintenance and use of the building. Prior to the Town Meeting the building was moved by permission of the Board of Selectmen to prevent its demolition and the necessary funds were advanced by the Sudbury Valley Trustees. Approximately $500 will now be needed to repair the building and prepare it for use as an Information Center and possible use as a Park and Recreation Commission facility for their summer programs.

The Finance Committee recommends approval of the Article.

Article 51. To see if the Town will vote to appropriate a sum of money for the construction of a walkway along Old Connecticut Path from Simpson Road to Pine Ridge Road; to determine whether such appropriation shall be provided by taxation, by appropriation from available funds, by transfer of funds already appropriated for another purpose, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; and to determine what town officer, board or committee or combination of them shall be authorized to expend the money appropriated therefor; or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the New Sidewalk Committee and would authorize the construction of approximately 2,300 lineal feet of walkway, five feet wide at a cost of $28,000. Planning funds were authorized under Article 33 of the 1973 Annual Town Meeting. No land takings are required.

The Finance Committee recommends approval of the Article.

Article 52. To see if the Town will authorize the Selectmen with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Darrell G. Simpson, an abutter, a vacant parcel of land subject, however, to utility easements, on Hiawatha Path originally taken for municipal purposes in 1959 containing 14,000 square feet, more or less and shown as Lots 184 through 193 on Plate 43 C of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF WOODLAND PARK WAYLAND, MASS. SCALE: 1 IN. = 60 FT. BROWN AND STACKPOLE 101 TREMONT ST. BOSTON, MASS. AGENTS E. WORTHINGTON ENG'R SEPT. 3, 1914" and recorded in the Middlesex, South District, Registry of Deeds as an "As Filed Plan #543"; and more fully described as follows:

Beginning at a point on Hiawatha Path at the Northeasterly corner of Lot 172; thence

EASTERLY, one hundred forty (140) feet; thence
SOUTHERLY, one hundred (100) feet; thence
WESTERLY, one hundred forty (140) feet; thence
NORTHERLY, one hundred (100) feet to the point of beginning;

to specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Board of Selectmen to see if the Town will vote to sell a certain parcel of vacant land consisting of approximately 14,000 square feet to Darrel G. Simpson, an abutter. The land in question fronts on Hiawatha Path, a paper street, but would become part of Simpson's house lot fronting on Garden Path. The land was purchased under Article 42 at the 1958 Annual Town Meeting at a price of approximately $850. The buyers have tentatively agreed to a price of approximately $3,500. The Selectmen are in the process of obtaining an appraisal. The lot will be conveyed with suitable restrictions prohibiting subdivision.

Subject to a favorable purchase price being negotiated and appraisal, the Finance Committee recommends approval of this article.

Article 53. To see if the Town will authorize the Road Commissioners with the approval of the Town Counsel as to form, to sell, convey, abandon or otherwise dispose of to Claire J. Butler, an abutter, a vacant parcel of land subject to utility easements on Sycamore Road originally acquired for highway purposes pursuant to vote under Article 17 of the 1973 Annual Town Meeting containing 7,176 square feet more or less and shown as Lots 140 and 141 on Plate 42D of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PROPOSED LAND TRANSFER WAYLAND, MASS. JANUARY 28, 1974 SCALE: 1 IN. = 40 FT. WAYLAND ENGINEERING DEPARTMENT." and more fully described as follows:

Beginning at a point N64-39-04 E, five and 00/100 feet from the Northeasterly sideline of Sycamore Road at the property line between Claire J. Butler and the Town of Wayland; thence

N 64-39-04 E eighty-seven and 98/100 (87.98) feet; thence

S 5-48-35 E one hundred fifty six and 29/100 feet (156.29) feet; thence
S 64-25-21 W twelve and 80/100 (12.80) feet; thence
NORTHERLY, one hundred forty eight and 76/100 (148.76) feet along a curve to the right having a radius of 610.00 feet to the point of beginning.

to specify the minimum amount to be paid therefor; or take any action relative thereto.

RECOMMENDATION

This article is inserted in the Warrant by the Board of Selectmen to see if the Town will vote to sell a vacant parcel of land at 59 Sycamore Road containing 7,176 square feet to Claire J. Butler. This parcel plus an additional 852 square feet or a total of 8,035 square feet were purchased by the Town under Article 17 of the 1973 Annual Town Meeting from the estate of Phyllis J. Ames. The Town paid $6,500.00 for that property and has incurred $247.00 of expense in demolishing the vacant building on the property at the time of the purchase. The Selectmen have agreed to sell a parcel containing 7,176 square feet for $1,500.00 (retaining 852 square feet of the original parcel for a widening of Sycamore Road) and Mrs. Butler has also agreed to give the Town approximately 814 feet of frontage on her adjacent land also for widening of Sycamore Road. The Selectmen feel the purchase price is proper in spite of the higher price paid by the Town last year because of the restriction preventing the use of the property as a separate building lot in the future.

The Finance Committee recommends approval of the Article.

Article 54. To see if the Town will authorize the Board of Road Commissioners to acquire by purchase, eminent domain, gift, or otherwise, for highway purposes the fee or any lesser interest in four vacant parcels of land with the trees thereon on Cochituate Road and Old Connecticut Path standing in the name of Commonwealth of Massachusetts, Walter B. Jr. and Lucy Danforth Parker and Charles J. Paine containing 62,100 sq. ft., ± 4,013 sq ft., ± 5,367 sq. ft. ± and 1,000 sq. ft. more or less shown on Plate No. 33 of the Town Atlas as well as on a plan on file with the Town Clerk entitled "PLAN OF THE RELOCATION OF A PORTION OF OLD CONNECTICUT PATH AND COCHITUATE ROAD, WAYLAND, MASS. JANUARY 31, 1973. SCALE: 1 IN. = 40 FT., WAYLAND ENGINEERING DEPARTMENT" and more fully described as follows:

1. Beginning at a point on the westerly sideline of Cochituate Road 74.83 feet at N-28-11-37 E from the intersection of said sideline and the property line between land of the Commonwealth of Massachusetts and the land of Paine at the northwesterly end of the intersection, thence;

   N61-48-23 W, fifty and 00/100 (50.00) feet, thence;
   N28-11-37 E, twenty and 00/100 (20.00) feet, thence;
   S61-48-23 E, fifty and 00/100 (50.00) feet, thence;
   S28-11-37 W, twenty and 00/100 (20.00) feet, to the point of beginning.

2. Beginning at a point on the Easterly sideline of Old Connecticut Path, 33.81 feet northerly of a stone bound at the property line between Parker and Pearson thence:

   NORTHEASTERLY, one hundred seventy eight and 22/100 (178.22) feet along a curve to the right having a radius of 368.60 feet, thence;
   N48-03-22 E, one hundred twenty nine and 11/100 (129.11) feet, thence;
   S43-03-22 W, one hundred thirty and 00/100 (130.00) feet; thence
   S23-12-21 W, sixty-five and 00/100 (65.00) feet; thence

S40-41-18 W, one hundred nine and 85/100 (109.85) feet, to the point of beginning.

3. Beginning at a point on the Westerly sideline of Cochituate Road at the property line between Paine and the Commonwealth of Massachusetts at the northwesterly end of the intersection, thence;
   S28-11-37 W, two hundred thirty six and 76/100 (236.76) feet, along the sideline of Cochituate Road, thence;
   SOUTHERLY, fifty eight and 54/100 (58.54) feet, along a curve to the left having a radius of 415.79 feet, thence;
   S20-07-37 W, one hundred ninety six and 75/100 (196.75) feet, thence;
   SOUTHERLY, four hundred one and 82/100 (401.82) feet, along a curve to the right having a radius of 1603.06 feet, thence;
   N13-21-10 E, six hundred four and 96/100 (604.96) feet, to a stone bound, thence;
   N48-47-39 E, three hundred thirty and 45/100 (330.45) feet, to the point of beginning.

4. Beginning at a point on the Westerly sideline of Cochituate Road, 108.83 feet northerly of the property line between the Commonwealth of Massachusetts and land of Paine at the Northwesterly end of the intersection, thence;
   S28-11-37 W, one hundred eight and 83/100 (108.83) feet, thence;
   S48-47-39 W, ninety eight and 53/100 (98.53) feet, thence;
   N23-59-40 E, one hundred three and 02/100 (103.02) feet, thence;
   N41-59-40 E, one hundred one and 50/100 (101.50) feet, thence;
   S61-00-20 E, eighteen and 00/100 (18.00) feet, to the point of beginnings.

or take any action relating thereto.

RECOMMENDATION

This article was inserted in the Warrant by the Board of Road Commissioners and it looks toward the reconstruction of the Five Paths intersection. This Article would authorize the necessary laying out, land takings and construction. Article 9 calls for the appropriation of the remainder of the Chapter 90 funds required if this article is approved by the voters.

The Five Paths intersection has been a matter of discussion by citizens, town boards, the state DPW and the abutters for a number of years. The Town has sought to develop a plan involving minimum damage to neighboring land and trees, minimum use or asphalt, and minimum land takings, yet acceptable to the DPW and the abutters. The current plan is the minimum plan acceptable to the DPW, is generally acceptable to the Road Commissioners, but is not acceptable to the abutters. The estimated cost of construction, including traffic lights and drainage from the intersection to Sandy Burr is approximately $233,000; a detailed plan and a full report will be made by the Road Commissioners at the Town Meeting.

There is general agreement that the intersection is dangerous and that something should be done to make it safer. The debate has centered on how much should be done. The Finance Committee feels that the present plan, while not ideal, is probably the best one to date and that there is little likelihood that a plan can be achieved that will be acceptable to all of the many points of view that have been expressed to date. Consequently, the proposal should be put to the Town for decision at this time.

It should be noted that if the Town were to abandon this project (which has been in the process of design for several years) the Town will forfeit an amount equal to 10% of the estimated project costs, or approximately $23,000. This amount will come out of the Town's share

of the project cost, which has been set aside by appropriations at the Town meetings in prior years. This forfeiture would occur even if we merely switched from the Five Paths project to some other Chapter 90 project in Town.

The Finance Committee recommends approval of the article.

Article 55. To see if the Town will vote to establish a committee to be known as the Municipal Building Planning Committee to review and analyze on a continuing basis the needs of the Town for structural space in order to provide the most efficient municipal services possible and to direct such committee initially to consider, prepare cost estimates for, and make recommendations at the next Annual Town Meeting concerning:

A. renovating and equipping the former Junior High School for use as a municipal office and school administration building, and adapting the present Town Office Building to meet the needs of the Town's public safety departments; or
B. adding onto the present Town Office Building and/or remodeling its interior for the needs of the public safety departments; or
C. constructing a new police station and remodeling the present Town Office Building to a lesser extent; and
D. any other alternatives;

such committee to consist of seven members to be designated as follows:

one by the Park and Recreation Commissioners;
one by the School Committee;
four by the Selectmen; and
one by the Finance Committee

to determine at what time or times such committee shall meet, when and in what manner such committee shall report on its progress and conclusions, the date that it shall be dissolved and/or whether and how it may be authorized to continue to carry out its responsibilities beyond the date set for its dissolution; to appropriate a sum of money for such preliminary engineering, architectural, and design studies and plans as may be necessary to carry out the foregoing directives; to determine whether such monies shall be provided by taxation, transfer from available funds, by borrowing under the provisions of G.L. chapter 44 or otherwise; or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Building Needs Study Committee and seeks to establish a successor committee. An appropriation of $10,000 is contemplated to study the former Junior High and the existing Town Office Building.

The Finance Committee recommends approval of the article.

Article 56. To see if the Town will vote, pursuant to the provisions of Chapter 40, Section 4A, of the General Laws, to enter into an agreement, subject to ratification by a subsequent Town Meeting, with the Town of Sudbury, Massachusetts, acting by such officials as the latter may designate, providing for certain joint or cooperative activities with respect to siteing, designing, constructing, originally equipping, operating, and providing access to a septic-tank pumpings disposal facility on land owned by the Towns of Wayland and/or Sudbury, north of the Boston Post Road and west of the Sudbury River, subject to appropriate provisions, including those regarding cost sharing, control, adjustments, duration, and termination, safeguarding the interests of the Town of Wayland; to determine what Town officer, board, commission, committee, or combination of them shall be authorized to execute such agreement; or to take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant at the request of the Refuse Disposal Planning Committee and would authorize negotia-

tions for a joint septage facility with Sudbury. An additional appropriation of $5,000 has been made by Wayland in the Budget Article, for engineering consultants to negotiate standards and design with the State approving authorities. The facility would of course service those residents of both Towns who have current problems. More important, it would serve to delay or prevent the imposition of a regional sewer district or Town-wide sewer by State mandate. The estimated total project cost is $560,000, shared equally with Sudbury. It is anticipated that the Town will be asked to authorize the execution of a detailed contract and the necessary borrowing at a subsequent Town Meeting. The article represents the initial step towards the joint facility.

Sudbury is considering an appropriation of $30,000 as their share of a $60,000 engineering cost, although its Finance Committee is not yet prepared to recommend the project as a whole. Discussions with Sudbury are continuing and the Refuse Disposal Committee will report on the matter at Town Meeting.

The Finance Committee recommends approval of the Article, subject to the successful conclusion of the Sudbury discussions.

Article 57. To see if the Town will amend its Building Code by adding the following new section to Chapter V, Section 18:

"(e) The aforesaid provisions shall apply to all clinics, group residences, institutions, miscellaneous halls, places of assembly, public buildings, public halls, special halls and theaters, as each such term is defined in G.L. chapter 143, section 1."

or take any action relative thereto.

RECOMMENDATION

This article was inserted in the Warrant by the Selectmen and would expand the existing building code provisions to cover certain structures now exempt.

The Finance Committee recommends approval of the Article.

Article 58. To see if the Town will amend its Building Code by deleting SECTION 16 (f) of CHAPTER V as follows:

"(f) No sprinkler or fire detection system shall be deemed to meet the requirements of this section unless it is approved by the Chief of the Fire Department."

by inserting the following in place thereof:

"(f) No new building shall be used in whole or in part as a multi-residence dwelling after April 1, 1974, unless such building is protected throughout either by a standard automatic sprinkler system designed to give an audible alarm on the premises and also automatically transmit a fire alarm signal to the Fire Department Headquarters or by a completely approved automatic fire detection system designed to give an audible alarm in the premises and also automatically transmit a fire alarm signal to Fire Department Headquarters, provided that this section shall not apply to dwellings, as the same are defined in CHAPTER II above.";

or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant at the request of the Selectmen and would require certain fire alarm installation in new or renovated buildings with three or more families. The By-Law is expected to affect larger structures for the most part.

The Finance Committee recommends approval of the Article.

Article 59. To see if the Town will vote to accept the laying out and establish as a Town Way with the boundaries and measurements shown in the order of the Road Commissioners filed in the office of the Town Clerk in accord with the provisions of G.L. Chapter 82, Sections 21-23, the following portions of Hampshire Court, Hampshire Road and Rice Spring Lane:

HAMPSHIRE COURT, from Hampshire Road, westerly 330 feet, formerly shown as a portion of Grove Street on a plan entitled "RIVER HILL" SUBDIVISION PLAN OF LAND IN WAYLAND AND LINCOLN, MASS. ON OXBOW ROAD OWNED BY CHARLES AND AGNES WESLEY SCALE: 1 IN. = 40 FT. MAY 2, 1966, EVERETT M. BROOKS CO. CIVIL ENGINEERS NEWTONVILLE, WAYLAND, W. ACTON, MASS." and more fully described as follows:

Beginning at a point on the Westerly sideline of Hampshire Road, one hundred seventy one and 64/100 (171.64) feet North of the property line between lot 10 and lot 11, thence:

NORTHWESTERLY, thirty eight and 36/100 (38.36) feet, along a curve to the left having a radius of 25.00 feet, thence;
N72-09-08 W, eighty eight and 70/100 (88.70) feet, thence;
WESTERLY, one hundred seventy six and 48/100 (176.48) feet, along a curve to the left having a radius of 305.00 feet, thence;
N48-17-01 W, fifty seven and 93/100 (57.93) feet, thence;
EASTERLY, two hundred thirty six and 98/100 (236.98) feet, along a curve to the right having a radius of 355.00 feet, thence;
S72-09-08 E, one hundred sixteen and 74/100 (116.74) feet, thence;
EASTERLY, twenty five and 37/100 (25.37) feet, along a curve to the left having a radius of 25.00 feet, thence;
S49-42-18 W, four and 82/100 (4.82) feet, thence;
SOUTHERLY, eight five and 89/100 (85.89) feet, along a curve to the left having a radius of 145.00 feet, to the point of beginning.

HAMPSHIRE ROAD, from Oxbow Road, Northerly 2027 feet, as shown on a plan entitled "RIVER HILL SUBDIVISION PLAN OF LAND IN WAYLAND AND LINCOLN, MASS. ON OXBOW ROAD OWNED BY CHARLES AND AGNES WESLEY SCALE: 1 IN. = 40 FT. MAY 2, 1966, EVERETT M. BROOKS CO. CIVIL ENGINEERS NEWTONVILLE, WAYLAND AND W. ACTON, MASS." and more fully described as follows:

Beginning at a point on the northerly sideline of Oxbow Road, said point being the southeasterly corner of lot 16 at the point of curvature thence:

NORTHERLY, forty and 30/100 (40.30) feet, along a curve to the left having a radius of 25.00 feet, thence;
N30-13-18 W, sixty four and 50/100 (64.50) feet, thence;
NORTHWESTERLY, two hundred five and 12/100 (205.12) feet along a curve to the left having a radius of 275.00 feet, thence;
N72-57-27 W, three hundred thirty six and 34/100 (336.34) feet, thence;
NORTHERLY, two hundred nineteen and 07/100 (219.07) feet, along a curve to the right having a radius of 225.00 feet, thence;
N17-10-21 W, four hundred eleven and 44/100 (411.44) feet, thence;
NORTHERLY, one hundred sevety five and 40/100 (175.40) feet, along a curve to the right having a radius of 400.00 feet, thence;
NORTHERLY, nineteen and 77/100 (19.77) feet, along a curve to the right having a radius of 145.00 feet, thence;
NORTHEASTERLY, eighty five and 89/100 (85.89) feet, along a curve to the right having a radius of 145.00 feet, thence;
N49-42-18 E, eighty and 42/100 (80.42) feet, thence;
NORTHEASTERLY, ninety eight and 09/100 (98.09) feet, along a curve to the left having a radius of 335.00 feet, thence;
NOREASTERLY, two hundred eighteen and 38/100 (218.38) feet, along a curve to the right having a radius of 385.00 feet, thence;

NORTHERLY, forty seven and 02/100 (47.02) feet, along a curve to the left having a radius of 60.00 feet, thence;
EASTERLY, SOUTHERLY AND WESTERLY, two hundred eighty two and 54/100 (282.54) feet, along a curve to the right having a radius of 60.00 feet, thence;
WESTERLY, forty seven and 02/100 (47.02) feet, along a curve to the left having a radius of 60.00 feet, thence;
SOUTHWESTERLY, one hundred ninety and 02/100 (190.02) feet, along a curve to the left having a radius of 335.00 feet, thence;
SOUTHWESTERLY, one hundred twelve and 73/100 (112.73) feet, along a curve to the right having a radius of 385.00 feet, thence;
S49-42-18 W, eighty five and 24/100 (85.24) feet, thence;
SOUTHERLY, sixty nine and 23/100 (69.23) feet, along a curve to the left having a radius of 95.00 feet, thence;
SOUTHERLY, one hundred fifty three and 48/100 (153.48) feet, along a curve to the left having a radius of 350.00 feet, thence;
S17-10-21 E, four hundred eleven and 44/100 (411.44) feet, thence;
SOUTHEASTERLY, one hundred seventy and 39/100 (170.39) feet, along a curve to the left having a radius of 175.00 feet, thence;
S72-57-27 E, three hundred thirty six and 34/100 (336.34) feet, thence;
SOUTHEASTERLY, two hundred forty two and 41/100 (242.41) feet, along a curve to the right having a radius of 325.00 feet, thence;
S30-13-18 E, seventy seven and 72/100 (77.72) feet, thence;
SOUTHERLY, thirty three and 89/100 (33.89) feet, along a curve to the left having a radius of 25.00 feet, thence;
WESTERLY, ninety two and 91/100 (92.91) feet along a curve to the left having a radius of 563.07 feet, to the point of beginning.

EASEMENT NO. 1 Twenty (20.00) foot drainage easement described as follows:

Beginning at a point two hundred seventeen and 07/100 (217.07) feet southwest of the northerly corner of lot six thence;

S-51-06-17 E, one hundred sixty eight and 84/100 (168.84) feet, thence;
WESTERLY, twenty six and 18/100 (26.18) feet, along a curve to the left having a radius of 60.00 feet, thence;
N51-06-17 W, one hundred forty eight and 79/100 (148.79) feet, thence;
N26-54-35 E, twenty and 44/100 (20.44) feet, to the point of beginning.

EASEMENT No. 2 Twenty (20.00) foot drainage easement described as follows:

Beginning at a point five and 88/100 (5.88) feet northeast of the southeasterly corner of lot six, thence;

N51-06-17 W, one hundred forty four and 79/100 (144.79) feet, thence;
NORTHERLY, twenty six and 18/100 (26.18) feet, along a curve to the left having a radius of 60.00 feet, thence;
S51-06-17 E, one hundred sixty and 16/100 (160.16) feet, thence;
S37-39-01 W, twenty and 01/100 (20.01) feet, to the point of beginning.

EASEMENT No. 3

Beginning at a point on the Southwesterly sideline if Hampshire Road at a point S72-57-27 E, 3.28 feet from the EASTERLY corner of lot 14, thence;

S46-41-52 W, one hundred fifty one and 03/100 (151.03) feet, hence;
S73-15-29 W, one hundred twenty eight and 44/100 (128.44) feet, thence;

S-60-13-15 W, two hundred seven and 39/100 (207.39) feet, thence;
S32-11-45 W, one hundred fourteen and 34/100 (114.34) feet, to the Northerly sideline of Grove Street, thence;
WESTERLY, twenty one and 58/100 (21.58) feet, along a curve to the left having a radius of 250.00 feet, thence;
N32-11-45 E, one hundred twenty seven and 41/100 (127.41) feet, thence;
N60-13-15 E, two hundred fourteen and 66/100 (214.66) feet, thence;
N73-15-29 E, one hundred twenty six and 01/100 (126.01) feet, thence;
N46-41-52 E, one hundred thirty four and 92/100 (134.92) feet, thence;
S72-57-27 E, twenty three and 01/100 (23.01) feet, to the point of beginning.

RICE SPRING LANE, from Juniper Lane, Northerly and Easterly 644 feet, as shown on a plan entitled "PLAN OF LAND IN WAYLAND, MASS. PROPERTY OF GEORGE L. NOLAN SCALE: 1" = 50' FEBRUARY 6, 1962, (REV.) FRANK H. ANDREWS — REG. C.E. & L.S. 500 LINCOLN STREET, WORCESTER, MASS." and more fully described as follows:

Beginning at a point on the Westerly sideline of Rice Spring Lane at the Southeast corner of lot 3A, thence;

NORTHERLY, one hundred seventy and 56/100 (171.56) feet, along a curve to the left having a radius of 600.00 feet, thence;
NORTHERLY, two hundred sixty one and 89/100 (261.89) feet, along a curve to the right having a radius of 150.00 feet, thence;
N69-14-10 E, ninety five and 50/100 (95.50) feet, thence;
EASTERLY, one hundred twenty three and 77/100 (123.77) feet, along a curve to the right having a radius of 228.31 feet, thence;
S00-28-30 E, fifty one and 20/100 (51.20) feet, thence;
WESTERLY, one hundred six and 78/100 (106.78) feet, along a curve to the left having a radius of 178.31 feet, thence;
S69-14-10 W. ninety five and 50/100 (95.50) feet, thence;
SOUTHWESTERLY, one hundred seventy four and 60/100 (174.60) feet, along a curve to the left having a radius of 100.00 feet, thence;
SOUTHERLY, one hundred eighty five and 86/100 feet, along a curve to the right having a radius of 650.00 feet, thence;
S14-25-00 E, sixteen and 65/100 (16.65) feet, thence;
N86-03-20 W, fifty two and 10/100 (52.10) feet, to the point of beginning.

to authorize the Road Commissioners to acquire, by purchase, eminent domain, gift, or otherwise for highway purposes the fee or any lesser interests as well as easements for drainage, slope or otherwise in any lands that may be necessary for such Town way; and to determine whether the Town will appropriate money therefor, to be provided by taxation, by appropriation from available funds, by borrowing under the provisions of chapter 44 of the General Laws or otherwise; or take any action relative thereto.

RECOMMENDATION

This Article was submitted by the Highway Commissioners and would authorize the Commissioners to accept Hampshire Road, Hampshire Court, and Rice Spring Lane as Town roads.

The Finance Committee recommends approval of the Article.

Article 60. To see if the Town will accept the recommendation of its Historical Commission and designate the following roads, or any of them, as "Scenic Roads" pursuant to the provisions of G.L. chapter 40, section 15 C: Old Connecticut Path between its intersection with Cochitu-

ate Road and the Boston Post Road, Plain Road, Rice Road, Lincoln Road, Hazelbrook Road, Claypit Hill Road, Draper Road, Glezen Lane, Pelham Island Road, Oxbow Road, Sherman Bridge Road, Pinebrook Road, Water Row, River Road, Millbrook Road, Bow Road, West Plain Street, and Pemberton Road; or take any other action relative thereto.

Note: The full text of G.L. U D section 15 C has been reprinted on page 65 of the warrant.

RECOMMENDATION

This Article, inserted in the Warrant at the request of the Historical Commission, would establish certain roads as Scenic Roads. Such a designation would prohibit any paving, reconstruction, maintenance, or repair, the cutting of trees, or the removal of stonewalls without a public hearing and the prior permission of the Planning Board. The Article will primarily affect Town activities within existing street layouts.

The Finance Committee recommends approval of the Article.

Article 61. To see if the Town will amend its Zoning By-Laws by deleting therefrom Section VI, paragraph 2 a) 3) as follows:

"3) Restaurants and other places for the serving of food or beverages inside the building at tables or counters"

and by inserting the following in its place:

3) Restaurants and other places for the serving and consumption of food or beverages inside the building at tables or counters where, in the opinion of the Board of Appeals, a clearly established need of the Town will be served thereby, and where the Board shall satisfy itself that the use of the premises shall not be against the public interest, shall not derogate from the character of the neighborhood in which such use is to occur, shall not be detrimental or offensive because of noise, vibrations, smoke, gas, fumes, odor, dust or other objectionable features, and that such use shall not otherwise be injurious to the inhabitants or their property, or dangerous to the public health or safety; subject, however, to the following:

a. The Board of Appeals may permit food or beverages to be served or consumed on the premises outside the building, subject to such safeguards and limitations as it may impose in its approval of site plan pertaining thereto so long as such use shall be incidental to such consumption inside the building.

b. The area of the premises to be traversed by motor vehicles shall be paved or otherwise covered with a suitable material.

c. Properties in abutting residential districts shall be protected from headlight glare by such methods as the Board of Appeals may require. Any protection required shall be maintained in good condition at all times. No signs or advertisements shall be attached to any protective screening or fence except on the side facing the use of the premises. Such protective screening or fence may be interrupted by normal entrances or exits.

d. A raised granite curb at least six inches in height shall be installed along the edge of the street except at driveway openings.

e. Illumination of outdoor areas shall be shielded so as not to shine upon any property in a residential district.

f. The use of banners, pennants, pinwheels, or other advertising novelties is prohibited.

g. The Board of Appeals may impose such additional conditions with respect to the size, construction, use, maintenance and operation of the premises and the vehicular and pedestrian access thereto as may be appropriate.

or take any action relative thereto.

RECOMMENDATION

This Article was inserted in the Warrant by the Planning Board to see if the Town will amend the Zoning By-Law to further regulate the approval of new restaurant construction in Wayland. The Planning Board will hold a hearing prior to the Town Meeting and the voters should be guided by the recommendation of the Planning Board made at the time of the Town Meeting.

Article 62. To see what sum, if any, the Town will vote to transfer from available funds to meet any of the appropriations made under the foregoing articles.

And you are required to serve this Warrant by posting copies thereof, attested by you, at the Town Building, at the public libraries in Cochituate and in Wayland Center, and by mailing or delivering a copy thereof addressed to each registered voter at his or her residence, seven days, at least, before the time appointed for such election or meeting.

Hereof, fail not and make due return of this Warrant with your doings thereon to the Town Clerk on or before March 4, 1974.

Given under our hands and seal this twelfth day of February in the year of our Lord one thousand nine hundred and seventy-four.

L. THOMAS LINDEN
HERBERT N. ODELL, JR.
CATHERINE W. SEILER
JOHN B. WILSON
JOHN R. McENROY
Selectmen of the Town of Wayland

ROBERT S. SWAIN, JR.
JONATHAN STRONG
BRUCE KINGSBURY
MARK S. MORDECAI
CHESTER L. SCHULER
MARCIA CROWLEY
FRANCIS J. FLEMING
Finance Committee

FINANCE COMMITTEE REPORT

The budget as printed in the Warrant this year calls for a total appropriation of $9,626,375.00. In late 1973, the Finance Committee adopted as an objective a total budget increase for the Town of an amount less than the Nation's rate of inflation for 1973, a rate usually estimated at 7% to 8% annually. The up-coming budget year occurs 18 months after the prior year and accordingly the new budget must carry the effect of more than 12 months' inflation.

Last year's budget was for 18 months and the Finance Committee has chosen to use two-thirds of the 18 month period as its "base" measuring point in computing increases for the coming budget year. The new budget for both Town and School functions combined, represents an increase of $1,001,918.00, or 11.6% over that "two-thirds base".

A comment on the School budget is in order.

Representatives of the Finance Committee were present at all meetings of the School Committee, at which the budget was developed. The Finance Committee believes that the School Committee has made every reasonable effort to produce a budget at the lowest possible cost, consistent with the present educational policy of the Town.

The fiscal year 1975's request of $5,576,213 reflects a 9.4% increase over the two-thirds base of the preceding year. However, the net increase, after giving credit for state reimbursement,, is estimated at 5%.

A further comparison, which the School Department feels is more meaningful, is the last twelve months of the current 18-month period compared with the coming fiscal year. On this basis, the increase is $330,804, or 6%. Again, net of state reimbursement, the increase computed on this basis is estimated at 1%. It is appropriate in the upcoming budget year to give more attention to state reimbursement than in years past, because of the new state mandated requirements of special education, and the resulting direct reimbursement.

The above comparisons reflect the negotiated raises for all non-teaching personnel, together with existing step raises covered by existing teacher contracts. Not reflected, however, are the costs resulting from negotiations now in process with the teachers.

The School Committee supports the School Department budget as currently printed, subject to an evaluation of the results of the teachers' salary negotiations. Hopefully, these negotiations will be completed in time for the Annual Town Meeting.

This budget reflects the first operating year for the Minuteman Regional Vocational Technical High School with the first students being admitted in the fall of 1974. The assessment from the Regional District is $161,368, a 230% increase over the "two-thirds' base". A Regional Finance Committee was established to work with the Regional School Committee. As a consequence of those discussions, the final operating budget of the Regional District was reduced by approximately 14% from its original figure. Wayland's quota for the first year is approximately 40 students. The operating cost of the Regional School is approximately $3,300 per student; the District receives State reimbursements of approximately $600 per student and the net assessment is therefore about $2,700 per student. Additionally, the assessment for debt service is approximately $1,500. Next year's assessment from the District should reflect a lower operating cost per student as overhead and administrative services will be spread over a larger number of students. When the School is fully operational in four years, expected operating assessments per student may bear a more reasonable relationship to Wayland's own operating cost per student at the High School level.

Paul F. Alphen was Wayland's delegate to the District since its establishment. He was a devoted representative of the Regional District and his death was a loss to the Town and the District. Thus, it seemed appropriate to comment here at somewhat more length than normal on the District's financial affairs.

The budget this year reflects the addition of certain personnel in various Town Departments. Specifically, the following increases are involved:

Police Department, 2 positions
Health Department, 1 position
Park & Recreation Commission, 2 positions
Town offices, ¾ths position
Library, 1/5th position

This budget makes no provision for the accrued teachers' salaries which might be payable in July and August 1975, although no particular problem need be expected in the normal course of affairs. The Finance Committee reported last year to the Town on this matter and at that time the positions of the State and the other towns were unresolved. Some towns have chosen to appropriate the full amount of this contingent liability; other towns have borrowed funds to meet the contingent liability; and other towns such as ours have appropriated no funds. The contingent liability is approximately $600,000 which, if appropriated this year, would fall with full force on the tax rate. In view of the contingent nature of the liability, and the judgment that it will in fact never fall due, it seems inappropriate, at least this year, to deal with the matter. It is always possible, however, that it may be necessary in years ahead to handle the matter differently.

Real estate taxes are now payable twice a year. Consequently, borrowing in anticipation of revenue and the resulting interest costs may be reduced. Currently, the Assessors are exploring the possibility of making the re-assessment effective with the October 1974 bill; if that is the case, then one-half of the impact of the re-assessment, either positively or negatively, will be reflected in that bill. Failing that, voters should expect the re-assessment to be first visible in their April 1975 bill.

The Town has available $140,385 from revenue sharing which will be used as a direct appropriation to offset salaries in the Police Department. Accordingly, the effect will be a direct dollar for dollar reduction in funds to be raised by taxes.

Representatives of the Finance Committee worked closely with the School Committee in the past year and it is clear from those meetings that, in our opinion, the school budget this year represents the lowest possible figure consistent with the Town's continuing policy on education. It may well be that in the near future the Town will wish to examine its policy and decide what future levels of educational support are appropriate. The Finance Committee urges the Town to pay careful attention to the budget presentation this year in order that it may make the best decision in the years ahead.

The following tables are presented as an aid to the tax payers in measuring historical patterns of growth of the budget as a whole, together with shifting departmental priorities. Hopefully, these tables for the most part are self-explanatory.

TABLE A

Department	*1968*	*% of total Budget*	*Fiscal year 1975*	*% of total Budget*	*% Increase*
General Government	235,051	4.83	442,605	4.60	88.30
Police	194,674	4.00	450,368	4.68	131.34
Fire	212,412	4.37	410,152	4.26	93.09
Inspection	15,130	.31	42,584	.44	181.45
Health	118,800	2.44	206,955	2.15	74.20
Highway	325,625	6.69	402,315	4.18	23.55
Welfare	121,100	2.49			
Veteran's Benefits	17,500	.36	25,585	.27	46.20
Schools	2,859,216	58.76	5,776,213	60.00	102.02
Minuteman Regional			161,368	1.68	
Libraries	74,807	1.54	137,221	1.42	83.43
Park & Recreation	170,185	3.50	233,549	2.43	37.23
Unclassified	126,781	2.61	426,032	4.43	236.04
Water	12,225	.25	13,225	.14	8.16
Debt & Interest					
Town	11,221	.23	65,010	.67	479.36
Schools	371,126	7.62	833,193	8.65	124.50
TOTAL BUDGET	4,865,853	100.00	9,626,375	100.00	97.84

TABLE B

Year	*School*	*Town*	*Total*	*Increase*	*%*
1975 (Fiscal year)	5,766,000	3,826,000	9,626,000	1,002,000	11.6
1973/74 (18 months)	7,919,000	4,999,000	12,918,000	4,800,000	59.1
1972	4,930,000	3,188,000	8,118,000	1,324,000	19.4
1971	4,448,000	2,346,000	6,794,000	541,000	8.7
1970	3,936,000	2,317,000	6,253,000	718,000	13.0
1969	3,352,000	2,183,000	5,535,000	669,000	13.7
1968	2,859,000	2,007,000	4,866,000	511,000	11.7

For what it considers to be the proper management of the Town and its finances, the Finance Committee makes the following recommendations, and they are, therefore, incorporated under the motion to be made under Article 4 at the Annual Town Meeting, as follows:

That all employees in the Town Office Building, other than elected officials and those of the Police and Fire Departments, come under the supervision of the Executive Secretary and that he be charged with the operation and maintenance of the two Town Office Buildings, the equipment and their grounds;

The operation of the dumps be under the supervision of the Road Commissioners;

The appropriation under Fire Department for "Purchase — Major Equipment", and under Conservation Commission for "Conservation Fund" be maintained as funds against future purchases and not be expended without further direct vote of the Town;

The Town Collector continue to act as Collector for the Water Department, and that all fees and penalties from whatever source be turned over to the Town as Town Income;

The appropriation for "Hydrant Rental" of $13,000 for the Water Department granted in the Budget be transferred to "Water Available Surplus";

The sum of $140,385.43 from "Revenue Sharing PL-92-512" shall be transferred from that account for application against the item "Police — Patrolmen — Salaries".

The sum of $20,000 shall be transferred from "Water Available Surplus" to available funds, "Excess and Deficiency".

In addition to the sum of $2,000 included in the 1975 fiscal Budget to meet the Town's share of "Chapter 90 — Maintenance" and $7,500 to meet the Town's share of "Chapter 90 — New Construction" the sum of $4,000 for "Chapter 90 — Maintenance" and $22,500 for "Chapter 90 — New Construction" subject to favorable action on Article #54 be transferred from "Unappropriated Available Funds" in the Treasury to meet the County's and State's Share of the cost of the work, the reimbursement from the County and State to be restored upon their receipt to "Unappropriated Available Funds" in the Treasury;

The Office of the Town Clerk be continued on a salary basis and that all fees from whatever source derived be turned over to the Town as Town Income;

All fees, wages or payments made to the Tree Warden, from whatever source, be turned over to the Town as Town Income;

The Finance Committee and the Town are annually indebted to the Town Accountant and the Executive Secretary for their many services during the process. Without their aid, this progress would not function. The special assistance and long, late night hours contributed to the Town for the orderly handling of the Town's affairs represent professionalism of the highest order. We are all in their debt.

Respectfully submitted,

MARCIA P. CROWLEY
FRANCIS J. FLEMING
BRUCE F. KINGSBURY
MARK S. MORDECAI

CHESTER L. SCHULER
JONATHAN STRONG
ROBERT S. SWAIN, JR.

Finance Committee

FINANCE COMMITTEE BUDGET FOR FISCAL YEAR 1975

GENERAL GOVERNMENT

	Appropriated 18 Months 1973/74	*Expended 1973*	*Recommended Fiscal Year 1975*	*Item No.*
SELECTMEN:				
Salaries (5)	750.00	$400.00	$500.00	1
Expense	6,300.00	6,171.34	4,200.00	2
Real Estate Option	1,500.00	100.00	1,000.00	3
Out of State Travel	150.00		100.00	4
CODIFICATION COMMITTEE:				
Codify General Laws — From 1972	4,148.27	72.60		
CIVIL DEFENSE:				
Dir. Aux. Pol. — Salary	900.00	550.00	600.00	5
Equip.-Ammo.-Supplies	3,300.00	1,830.58	2,690.00	6
Used Vehicle	700.00	1,000.00		
TOWN OFFICES:				
Salaries	93,220.00	65,005.91	159,127.00	7
Salaries—Revenue Sharing	113,000.00	76,002.36		
Art. 8 T.M.	20,750.00	12,719.93	Art. 8	
Expense	24,352.00	20,392.93	17,555.00	8
Equipment	6,500.00			
From — 1972	500.00	3,617.04	4,600.00	9
Electricity	8,190.00	5,270.18	6,000.00	10
Telephones	11,800.00	8,220.31	9,150.00	11
Gasoline	14,000.00	9,424.00	16,000.00	12
DATA PROCESSING:				
Equipment Rental	31,151.00	20,229.21	21,948.00	13
Consultant	1,500.00	457.50	1,000.00	14
Peripheral (Discs)	4,500.00	3,727.78	2,100.00	15
Forms and Supplies	800.00	960.04	6,600.00	16
Engineering Fees	2,000.00		1,000.00	17
Education	1,000.00	465.00	1,000.00	18
Service Bureau Cost	1,400.00	2,628.78		
Environmental Changes	500.00			
Burster			1,200.00	19
D. P. Coordinator	14,996.00	9,842.40	10,500.00	20
D. P. Audit			5,000.00	21
WAYLAND TOWN BUILDING				
Maintenance	36,950.00			
From — 1972	2,500.00	26,381.86	21,400.00	22
Renovation Expense			5,500.00	23
COCHITUATE TOWN BUILDING				
Maintenance	12,525.00			
From — 1972	1,000.00	7,375.92	6,850.00	24

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
TREASURER — COLLECTOR				
Salary	17,940.00	12,530.66	13,675.00	25
Expense	975.00	508.79	650.00	26
Tax Title Expense	1,000.00	505.08	1,000.00	27
ASSESSORS				
Salaries (3)	4,650.00	2,848.67	3,100.00	28
Expense	900.00	549.83	700.00	29
Reassessment Expense	1,120.00			
Atlas and Maps	100.00			
Professional Services	1,500.00			
From — 1972	650.00		1,000.00	30
Expert Appraisal				
From — 1972	65,000.00	28,080.00		
Appraisal—Public Utilities	5,000.00			
FINANCE COMMITTEE				
Expense	100.00	40.00	75.00	31
PERSONNEL BOARD				
Expense	100.00	35.00	100.00	32
Consultant	3,800.00	2,500.00	3,000.00	33
Handbook Printing	450.00		600.00	34
Adjustment Fund	2,000.00		2,000.00	35
TOWN COUNSEL				
Retainer	12,000.00	7,999.99	8,000.00	36
Professional Services	21,000.00	19,871.43	10.000.00	37
Conveyancing	4,000.00	1,723.24	2,500.00	38
Accrued Taxes on Acquired Property	2,250.00	2,256.37	1,500.00	39
Legal Expenses	3,000.00	5,678.87	2,000.00	40
Litigation			12,000.00	41
REGISTRARS				
Salaries	300.00		200.00	42
Listing	1,800.00	734.00	3,000.00	43
Transportation	150.00		100.00	44
TOWN CLERK				
Salary	4,800.00	3,199.96	3,200.00	45
Add. Comp. — GL 41-S19G	600.00	400.00	400.00	46
Expense	550.00	143.79	550.00	47
ELECTIONS				
Officers — Salaries	3,550.00	1,488.00	5,000.00	48
Expense	3,300.00	1,051.30	2,000.00	49
PLANNING BOARD				
Clerical	600.00		400.00	50
Expense	750.00	694.22	500.00	51

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Professional Services	8,500.00			
From — 1972	3,561.14	8,803.40	10,000.00	52
Road Planning — SILC				
From — 1972	851.02			
TOWN SURVEYOR				
Salary	21,632.00	14,723.02	15,900.00	53
Labor — Assistants (2)	21,840.00	11,435.23	16,935.00	54
Expense	1,435.00	1,244.68	1,600.00	55
Prelim. Bttmt. Survey				
From — 1972	3,061.00	635.00	1,000.00	56
Highway Engineering	1,500.00	793.25	1,000.00	57
Town Bounds	1,500.00	406.50	1,000.00	58
Town Atlas	1,700.00	2,876.58	2,000.00	59
CONSERVATION COMMISSION				
Expense	2,250.00	1,109.73	2,700.00	60
Appraisals	3,000.00	3,940.00	5,000.00	61
Conservation Fund				
From — 1972	9,990.00			
Capital Improvements			2,600.00	62
Master Plan From — 1972	(-484,451.00)	55,000.00		
Pelham Island Tract				
From — 1972	171,400.00	171,400.00		
Plimpton Land				
From — 1972	16,000.00	15,250.00		
Barrel Land				
From — 1972	50,000.00	50,000.00		
Sudbury Valley Trustees				
From — 1972	37,000.00	37,000.00		
Damon Land				
From — 1972	65,000.00	64,950.00		
Donaldson Trust				
From — 1972	160,000.00	160,000.00		
Stewart Land	55,000.00			
TOTAL GENERAL GOVERMENT			442,605.00	

PROTECTION

POLICE DEPARTMENT				
Salaries:				
Chief	24,492.00	18,548.87	20,172.00	1
Youth Officer	19,605.00	12,858.13	14,302.00	2
Sergeants (4)	75,209.00	58,771.05	55,037.00	3
Detective	16,725.00	11,096.04	11,983.00	4
Patrolmen (17)	261,043.00	167,386.94	192,119.00	5
Dispatchers (2)			14,726.00	6
Overtime	30,000.00	27,718.95	27,000.00	7

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Holidays	13,839.00	9,667.24	11,125.00	8
Crossing Guards (10)	32,228.00	18,413.06	20,288.00	9
Specials	9,750.00	5,928.69	6,500.00	10
Court Time	12,750.00	10,578.57	12,720.00	11
Dudley Pond Patrol	8,907.00	6,314.42	7,040.00	13
Clerk	8,907.00	6,314.42	7,040.00	13
Dump Officer	2,184.00	1,169.49	1,628.00	14
General Expense	10,940.00	8,856.62	9,655.00	15
New Equipment	4,000.00	3,982.85	3,077.00	16
Juvenile Safety Program	1,246.00	933.52	1,463.00	17
Out of State Travel	800.00	750.00	900.00	18
Training	4,725.00	2,301.50	4,225.00	19
Uniform Expense	9,600.00	7,709.67	7,900.00	20
Police Cars	11,190.00	11,283.80	16,300.00	21
Cars Operating Expense	9,850.00	5,364.17	7,350.00	22
Signs and Traffic Lines	1,500.00	2,619.92		
Special Services	750.00	291.50	900.00	23
Teleprocess	3,240.00	2,142.00	2,208.00	24
Community Relations	300.00		250.00	25
TOTAL POLICE DEPARTMENT			450,368.00	
FIRE DEPARTMENT				
Salaries:				
Chief	25,558.00	18,860.10	20,382.00	26
Captains (4)	76,430.00	51,221.64	55,033.00	27
Firefighters (20)	316,789.00	212,250.65	229,109.00	28
Overtime	54,000.00	39,410.72	40,000.00	29
Call Back Pay	23,000.00	17,530.44	13,600.00	30
Holiday Pay	18,711.00	13,279.45	14,364.00	31
Call Men — Hourly	4,500.00	1,947.30	3,000.00	32
Annually	1,500.00		1,200.00	33
Clerical — Part Time	4,500.00	2,209.35	2,614.00	34
General Expense	7,875.00	5,609.83	6,000.00	35
New Equipment — Hose, Misc.	7,800.00	5,681.34	5,900.00	36
Major Equipment	4,000.00			
From — 1972	3,582.71		3,000.00	37
Utility Fwd. Vehicle			5,200.00	38
Alarm System — Maint. and Ext.	5,250.00	3,906.72	3,500.00	39
Uniform Expense	4,688.00	3,287.38	3,750.00	40
Training and Education	4,500.00	2,279.74	3,000.00	41
Out of State Travel	700.00		500.00	42
New Pumping Engine From — 1972	17,183.00	17,182.84		
TOTAL FIRE DEPARTMENT			410,152.00	

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
INSPECTION DEPARTMENT				
Building and Zoning Inspector				
Salary	19,500.00	13,269.22	14,310.00	43
Expense	3,065.00	2,105.89	2,775.00	44
Wiring Inspector				
Salary	9,750.00	6,429.80	6,890.00	45
Expense	1,360.00	650.00	600.00	46
Gas Inspector				
Salary	3,713.00	2,480.29	2,675.00	47
Expense	600.00	440.00	200.00	48
Plumbing Inspector				
Salary	3,713.00	2,470.77	2,675.00	49
Expense	600.00	440.00	200.00	50
Substitute Inspectors				
Salary	825.00	450.00	650.00	51
Zoning Board of Appeals				
Expense	450.00	6.00	300.00	52
Sealer — Weights and Measures				
Salary	375.00	250.00	250.00	53
Expense	75.00	50.00	50.00	54
Dog Officer (To 4/1/73)				
Salary	375.00	375.00		
Expense	255.00	363.00		
Salary (From 4/1/73)	8,613.00	4,646.35	7,819.00	55
Expense	1,722.00	763.60		
Van and Equipment	2,800.00	2,774.56		
Operating Expenses	710.00	287.00	450.00	56
Boarding and Veterinary	4,520.00	515.25	2,740.00	57
TOTAL INSPECTION DEPARTMENT			42,584.00	
TOTAL PROTECTION			903,104.00	

HEALTH DEPARTMENT

BOARD OF HEALTH				
Salaries:				
Board Members (3)	150.00	150.00	150.00	1
Asst. to Director			6,614.00	2
Secretary to Board	8,007.00	5,535.18	5,970.00	3
Sanitary Engineer	7,372.00	3,510.00	5,009.00	4
General Expense	7,704.00	2,814.46	5,020.00	5
School Programs				
Health	4,275.00	1,632.15	2,700.00	6
Physician	4,500.00	3,000.00	3,000.00	7
Dental Clinic	7,463.00	4,133.46	5,252.00	8
Dog Clinic	1,100.00	572.10	600.00	9
Garbarge Collection	59,400.00	36,300.00	39,600.00	10

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Animal Inspector				
Salary	900.00	600.00	600.00	11
Expense	225.00	23.20		
Public Health Nurses				
Supervision	15,000.00	692.48		
Salaries (5)	78,511.00	51,430.82	57,325.00	12
Nursing Aids (2)	10,920.00	7,680.20	9,180.00	13
Travel Expense	3,150.00	1,436.98	2,100.00	14
Mental Health Clinics				
Youth	24,595.00	24,595.00	18,235.00	15
Adult	5,000.00	5,000.00	5,000.00	16
Mosquito Control	15,770.00	15,770.00	10,750.00	17
Social Worker				
Salary	24,336.00	16,753.80	18,125.00	18
Secretary-Assistant	8,779.00	3,891.07	10,600.00	19
Office Expense	1,275.00	826.45	1,125.00	20
TOTAL HEALTH DEPARTMENT			206,955.00	

HIGHWAY DEPARTMENT

HIGHWAY DEPARTMENT				
Salaries:				
Superintendent	21,903.00	15,932.40	17,490.00	1
Clerk	11,331.00	7,198.52	8,511.00	2
Labor (17)	225,716.00	154,740.66	160,824.00	3
Overtime		15,667.37	23,452.00	4
Maintenance				
Roads	36,000.00	24,032.66	30,250.00	5
Equipment	46,500.00	22,773.04	37,000.00	6
Garage and Yard	14,500.00	9,006.81	12,200.00	7
Snow Removal	45,000.00	10,361.41	30,000.00	8
Care of Dumps	13,420.00	9,148.75	4,300.00	9
Recycling	10,572.00	763.08	1,056.00	10
New Dump Site				
From — 1972	4,596.72	480.00		
Drainage				
Eden Road	175.00			
From — 1972	1,500.00			
Miscellaneous	(Totals in Labor Account)			
Road Machinery Account	3,000.00		2,000.00	11
New Equipment				
Sanders	8,300.00	7,930.00		
Miscellaneous	3,052.00	1,468.22	3,000.00	12
Heavy Duty Truck	16,000.00	15,998.97		
Grader	30,000.00			
Chipper	5,000.00	4,775.93		
Line Sprayer	1,500.00	1,440.83		

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Pickup Truck	3,000.00		4,900.00	13
Sidewalk Plow				
From — 1972	7,500.00	7,461.81		
Pickup Truck Fwd.			4,300.00	14
Hot Top Spreader			1,500.00	15
Compressor			7,000.00	16
Six Ton Trailer			2,000.00	17
One Ton Roller			2,500.00	18
Sidewalk Sweeper			2,150.00	19
Compactor			37,175.00	20
New Building at Dump			5,000.00	21
Chapter 90				
Maintenance — Town	2,000.00		2,000.00	22
From State and County	4,000.00			
Maintenance—Town Only	1,250.00	1,300.95	1,000.00	23
Construction:				
1967 — From 1972	6,700.00			
From State and County	20,100.00			
1968 — From 1972	6,700.00			
From State and County	20,100.00			
1969 — From 1972	7,500.00			
From State and County	22,500.00			
1970 — From 1972	7,500.00			
From State and County	22,500.00			
1971 — From 1972	7,500.00			
From State and County	22,500.00			
1972 — From 1972	7,500.00			
From State and County	22,500.00			
1973-	7,500.00			
From State and County	22,500.00			
1974			Art. 9	
Toll Road Authority				
Drainage From — 1972	8,000.00			
Parking Lot—Cochituate				
From — 1972	5,200.00			
Reconstruction				
Pelham Island Road				
From — 1972	14,895.00			
Draper Road	4,300.00			
From — 1972	10,000.00	14,736.85	2,207.00	24
Old Conn. Path —				
Drainage	9,927.00			
Sidewalk Construction	26,000.00			
From — 1972	7,974.32	6,456.83	Art. 51	
Stonebridge Land Takings	100.00			
Easement — Pequot Rd.				
From — 1972	1.00			

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Travel Expense	750.00		500.00	25
Betterments:				
Algonquin Road — From — 1972	7,486.36	3,082.04		
Hawthorne Road — From — 1972	1,400.92	90.00		
Hawthorne Road Ext. From — 1972	100.00			
Park Lane — From — 1972	3,017.88	1,427.24		
Castle Road	5,306.00	2,746.79		
TOTAL HIGHWAY DEPARTMENT			402,315.00	

WELFARE

VETERAN'S BENEFITS				
Appropriation	30,000.00	14,540.98	20,000.00	1
Agent:				
Salary	6,630.00	4,420.00	4,685.00	2
Expense	1,200.00	913.81	800.00	3
Out of State Travel			100.00	4
TOTAL VETERANS' BENEFITS			25,585.00	

SCHOOLS

I Regular Instruction	4,982,914.00	3,240,712.13	3,446,257.00	1
II Special Instruction	580,397.00	361,264.48	535,590.00	2
III Instructional Services	986,090.00	614,253.90	743,226.00	3
IV Operational Services	1,069,075.00	706,691.11	829,272.00	4
V Policy — Admin. Services	285,392.00	215,750.91	212,323.00	5
VI Out of State Travel	15,000.00	5,105.22	9,545.00	6
Major Maintenance From — 1972	66,297.00	41,371.00		
Repair Septic System From — 1972	892.40	779.70		
Construct Sewerage Plant From — 1972	241,679.67	10,330.44		
CONSTRUCTION AND SITES:				
Building Planning Committee From — 1972	39,261.64	32,233.39		
Planning — Alterations to Elementary Schools	25,000.00			
New Junior High	8,900.00			
From — 1972	292,232.19	234,260.44		

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Convert Old Junior High to Elementary From—1972	53,672.22			
Equipment — Converted Junior High From—1972	10,000.00			
Claypit Addition From — 1972	39,030.06	8,789.85		
High School Addition From — 1972	246,832.35	242,577.40		
Remodel High School From — 1972	125,000.00	47,034.00		
Equip. High School From — 1972	25,000.00			
TOTAL SCHOOLS			5,776,213.00	
Regional Vocational School	103,335.00	103,335.00	161,368.00	7
TOTAL REGIONAL VOCATIONAL			161,368.00	

LIBRARIES

Salaries:				
Librarian	18,720.00	11,361.14	13,780.00	1
Asst. Librarians — Professional	31,921.00	18,524.64	19,435.00	2
Children's Librarian	13,493.00	8,756.77	10,060.00	3
Assts. — Non Professional	46,644.00	31,047.74	41,254.00	4
Pages	4,500.00	2,823.83	3,180.00	5
Operating Expense	22,283.00			
From — County Dogs	2,161.63	18,960.40	19,162.00	6
Out of State Travel	700.00	197.95	350.00	7
Refurbishing and Furniture	7,500.00			
From — 1972	4,085.45	3,603.17		
Materials Purchases	36,000.00	26,720.62	30,000.00	8
Library Building and Planning Committee	4,000.00			
TOTAL LIBRARIES			137,221.00	

PARK AND RECREATION

PARK AND RECREATION:				
Salaries:				
Superintendent	20,592.00	11,138.42	16,430.00	1
General Foreman	15,517.00	10,164.96	10,981.00	2
Foreman	14,945.00	9,863,20	10,716.00	3
Labor (7)	91,656.00	64,206.72	74,580.00	4
Materials and Supplies	19,288.00	8,258.05	10,500.00	6

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Uniform Expense	2,223.00	1,162.37	1,677.00	7
New Equipment:				
Truck 2½ Ton	5,100.00	4,309.75		
Lawn Sweeper	775.00			
From — 1972	1,500.00	2,275.00		
Bunton Mowers (2)	3,193.00	2,778.75		
Misc. — Small Equip.	1,442.00	850.25	900.00	8
Trimmers	220.00	220.00		
Radio	800.00	769.56	800.00	9
Utility Tractor	1,673.00			
Pickup Truck Fwd	6,662.00	9.00		
Snow Blower			625.00	10
Dump Trailer			425.00	11
Rotary Mower			600.00	12
Leaf Blower			375.00	13
Supt.'s Sedan			3,500.00	14
Docks			3,000.00	15
Backstop			1,275.00	16
Toddlers Play Equipment			1,500.00	17
Lake Cochituate Beach:				
Lifeguards (7)	8,060.00	6,738.00	9,100.00	18
Police (2)	2,600.00	2,340.00	3,120.00	19
Swimming Instruction (3)	3,100.00	2,357.00	3,420.00	20
Beach Supervisor	1,750.00	1,600.00	1,950.00	21
Registration	1,723.00	852.50	1,000.00	22
Beach Expense	7,615.00	3,550.17	1,345.00	23
Recreation — Salaries:				
Specialists	11,816.00	3,439.00	4,000.00	24
Officials	8,786.00	4,017.00	5,500.00	25
Playground Leaders (6)	2,730.00	2,703.15	3,400.00	26
Arts—Crafts Instructors	602.00	599.90	680.00	27
Junior Counselors (6)	630.00	464.00	720.00	28
Playground Supervisor	842.00	842.00	1,035.00	29
Tennis Instruction (4)	1,050.00	1,042.50	1,750.00	30
School Custodians	5,350.00	4,122.50	2,000.00	31
Recreation — Expenses:				
Supplies and Equipment	11,777.00	8,784.04	9,300.00	32
Buoys, Anchors, Ropes	250.00	99.57	300.00	33
Lighting	3,260.00	2,425.28	3,000.00	34
Special Activities	760.00	762.11	1,000.00	35
Travel and Dues	300.00	95.84	400.00	36
Out of State Travel	300.00	183.80	400.00	37
Mercury Light	800.00		1,400.00	38
Forestry:				
Tree Trimming Contract	14,910.00	6,607.50	10,000.00	39
Tree Planting	1,600.00	74.50	1,000.00	40

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
Public Work Expense	6,978.00	2,479.79	4,650.00	41
Dutch Elm Expense	4,640.00	1,142.75	4,000.00	42
Seal Tennis Courts (6)			6,500.00	43
Parking—Cochituate Field			2,000.00	44
Weed Control—Dudley Pond				
From — 1972	925.00	900.00	.... 860.00	45
Dredging Mill Pond	22,000.00			
From — 1972	1,000.00	23,895.30		
Plans for Beach House				
From — 1972	11,086.81			
Purchase Damon Land				
From — 1972	27,450.00	27,450.00		
Mellen Law Office	1,882.00	2,333.91		
TOTAL PARK AND RECREATION			233,549.00	

UNCLASSIFIED

Reserve Fund	100,000.00		175,000.00	1
Town and Finance				
Committee Reports	10,500.00	5,800.00	9,500.00	2
Public Ceremonies	3,000.00			
From — 1972	1,121.45	634.50	1,500.00	3
Notice of Meetings	2,000.00	1,500.00	2,000.00	4
Surety Bonds	1,890.00	840.00	1,400.00	5
Town Clocks	250.00	50.00	250.00	6
Insurance — General	116,645.00	60,883.94	81,000.00	7
Insurance — 32B	135,900.00	82,400.09	110,000.00	8
Town Land Clean Up	500.00	339.00	500.00	9
Regional Refuse Disposal				
Planning Cmmittee:				
Land Fill	10,000.00			
From — 1972	11,657.45	422.46		
Septage Tank Pumpings				
From — 1972	5,000.00	4,924.88	5,000.00	10
Sewerage Needs Survey				
From — 1972	5,000.00	642.45		
Street Lighting	36,000.00	21,100.99	32,400.00	11
Bicentennal Comm.ttee			5,000.00	12
Council For Aging			2,482.00	13
Court Orders:				
Seeckts	1,592.00	1,591.24		
Land for Dump	12,500.00	12,500.00		

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
LAND PURCHASES:				
Boston Edison — Post Rd. North Side — From — 1972	15,000.00			
Boston Edison — Route 20 South Side — From — 1972	6,000.00			
Land for Dump — From — 1972	10,000.00	10,000.00		
Lupien — Sycamore Road From — 1972	4,500.00			
White — Sycamore Road From — 1972	3,500.00	3,500.00		
Leary — Hawthorne Road From — 1972	4,500.00			
Lupien — Dunster Avenue From — 1972	4,500.00			
Yeuell Property From — 1972	5,541.83			
Leucher Property From — 1972	300.00			
Galluzzo Property From — 1972	1.00			
Sears Property From — 1972	100.00			
Stanton Street Property From — 1972	8,500.00	8,500.00		
Buckley Property From — 1972	1.00			
Ames Property	6,500.00	4,692.79		
Simpson Property	1.00			
Pond Drive Property	1.00			
Land at Cross Street	1.00			
Beaumont Property	5,000.00	5,000.00		
ACCEPTANCE OF VARIOUS ROADS:				
Portion of Oxbow Road From — 1972	100.00			
Alden, etc. (21 Roads) From — 1972	210.00			
Portion of Sherman Bridge Road — From — 1972	100.00			
Beech Road— From—1972	500.00			
DRAINAGE — HENRY LAND From — 1972	100.00			
MELLEN LAW OFFICE — TOWN GREEN From — 1972	3,000.00	3,482.59		

	Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
AMBULANCE SERVICE RETAINER	4,400.00	5,527.64		
POLICE DISABILITY PAY	5,000.00			
(To June 6, 1973)				
TOTAL UNCLASSIFIED			426,032.00	

PUBLIC SERVICE ENTERPRISES

WATER DEPARTMENT:				
Salaries:				
Commissioners (3)	339.00	225.00	225.00	1
Superintendent	23,790.00	16,403.92	Art. 8	
Labor	89,960.00	52,913.28	Art. 8	
Hydrant Rental	19,500.00	19,500.00	13,000.00	2
Maintenance	83,875.00	45,011.14	Art. 8	
Watermain Extensions:				
Refund Account From — 1972	38,287.71			
Deposit Account From — 1972	24,791.09			
Old Conn. Path — Rice Road — From — 1972	20,000.00			
Old Conn. Path—5 Paths From — 1972	10,000.00			
New Well and Pumping Station — From — 1972	1,958.23			
Test Wells From — 1972	10,844.15	15,290.00		
Booster Station	17,000.00	15,280.00		
New Trucks (2)	7,000.00	2,759.05		
New Backhoe/Loader	17,000.00	10,839.00		
TOTAL WATER DEPARTMENT			13,225.00	

MATURING DEBT AND INTEREST

INTEREST:				
Miscellaneous	25,010.00	9,858.35	25,010.00	1
Anticipation of Revenue ..	55,000.00		40,000.00	2
Schools:				
1954 — $ 600,000.00	1,320.00	990.00		
1956 — 600.000.00	3,750.00	2,625.00	1,500.00	3
1956 — 62,000.00	561.00	408.00	255.00	4
1956 — 638,000.00	5,984.00	4,352.00	2,720.00	5
1959 — 1,175,000.00	18,638.00	12,775.00	9,625.00	6
1960 — 1,100,000.00	21,780.00	21,780.00	11,880.00	7

		Appropriated 18 Months 1973/74	Expended 1973	Recommended Fiscal Year 1975	Item No.
1971 —	3,850,000.00	235,235.00	162,855.00	135,713.00	8
1972 —	1,050,000.00	75,750.00	51,000.00	46,500.00	9
Water:					
1958 —	150,000.00	330.00	330.00		
MATURING DEBT:					
Schools:					
1954 —	$ 600,000.00	60,000.00	30,000.00		
1956 —	600,000.00	60,000.00	30,000.00	30.000.00	10
1956 —	62,000.00	3,000.00	3,000.00	3,000.00	11
1956 —	638,000.00	32,000.00	32,000.00	32,000.00	12
1959 —	1,175,000.00	120,000.00	60,000.00	60,000.00	13
1960 —	1,100.000.00	110,000.00	110,000.00	55,000.00	14
1971 —	3,850,000.00	385,000.00	385,000.00	385,000.00	15
1972 —	1,050,000.00	120,000.00	60,000.00	60,000.00	16
Water:					
1958 —	150,000.00	10,000.00	10,000.00		
Conservation		50,000.00			
TOTAL DEBT AND INTEREST				898,203.00	
TOTAL BUDGET				9,626,375.00	

BUDGET SUMMARY

Department	*Appropriated 18 Months 1973/74*	*2/3 18 Months Base*	*Recommended Fiscal Year 1975*	*Increase*
General Government	548,626.00	365,751.00	442,605.00	76,854.00
Protection	1,189,945.00	793,297.00	903,104.00	109,807.00
Health	288,432.00	192,288.00	206,955.00	14,667.00
Highway	554,327.00	369,551.00	402,315.00	32,764.00
Veterans' Benefits	37,830.00	25,220.00	25,585.00	365.00
Schools	7,918,868.00	5,279,245.00	5,776,213.00	496,968.00
Regional Vocational School	103,335.00	68,890.00	161,368.00	92,478.00
Libraries	181,761.00	121,174.00	137,221.00	16,047.00
Park and Recreation	306,517.00	204,345.00	233,549.00	29,204.00
Unclassified	404,177.00	269,451.00	426,032.00	156,581.00
Water	19,839.00	13,226.00	13,225.00	(—1.00)
Debt and Interest	1,383,028.00	922,019.00	898,203.00	(—23,816.00)
TOTAL	12,936,685.00	8,624,457.00	9,626,375.00	1,001,918.00

Chapter 40 — Section 15C

An Act authorizing cities and towns to designate certain roads as scenic roads and regulating the improvement thereof.
Be it enacted, etc., as follows:

Chapter 40 of the General Laws is hereby amended by inserting after section 15B the following section: —

Section 15C Upon recommendation or request of the planning board, conservation commission, or historical commission of any city or town, such city or town may designate any road in said city or town, other than a numbered route or state highway, as a scenic road.

After a road has been designated as a scenic road any repair, maintenance, reconstruction, or paving work done with respect thereto shall not involve or include the cutting or removal of trees, or the tearing down or destruction of stone walls, or portions thereof, except with the prior written consent of the planning board, or if there is no planning board, the selectmen of a town, or city council of a city, after a public hearing duly advertised twice in a newspaper of general circulation in the area, as to time, date, place and purpose, the last publication to occur at least seven days prior to such hearing.

Designation of a road as a scenic road shall not affect the eligibility of a city or town to receive construction or reconstruction aid for such road pursuant to the provisions of chapter ninety.

Approved March 6, 1973

Chapter 41

§ 108L Police career incentive program; salary increases; reimbursement of cities or towns

There is hereby established a career incentive pay program offering base salary increases to regular full-time members of the various city and town police departments, the division of state police in the department of public safety, the capitol police and the metropolitan district commission police, as a reward for furthering their education in the field of police work.

Police career incentive base salary increases shall be predicated on the accumulation of points earned in the following manner: one point for each semester hour credit earned toward a baccalaureate or an associate degree; sixty points for an associate degree; one hundred and twenty points for a baccalaureate degree; and one hundred and fifty points for a degree of master or for a degree in law. All semester credits and degrees shall be earned in an educational institution accredited by the Board of Higher Education.

Base salary increases authorized by this section shall be granted in the following manner: a three per cent increase for ten points so accumulated, a six per cent increase for twenty-five points, a ten per cent increase for forty points, a fifteen percent increase for sixty points, a twenty per cent increase for one hundred and twenty points, and a thirty per cent increase for one hundred and fifty points so accumulated.

Any city or town which accepts the provisions of this section and provides career incentive salary increases for police officers shall be reimbursed by the commonwealth for one half the cost of such payments upon certification by the board of higher education. The board of higher education shall certify the amount of such reimbursement to be paid to such city or town from information filed on or before September the first

of each year with said board, on a form furnished by it, by the chief of police, or one of similar rank, of the city or town police department. The board of higher education shall also certify the amount of the career incentive salary increases to be allocated to the state police, the capitol police and the metropolitan district commission police from information filed with said board on or before September the first of each year by the commissioner of public safety for the state police, by the commissioner of the metropolitan district commission for the metropolitan district commission police, and by the chief of the capitol police for the capitol police. Said information shall be filed on a form to be furnished by the board of higher education.

Chapter 884

An Act relative to poles and overhead wires and associated overhead structures

Be it enacted, etc., as follows:

Section 1. Chapter 166 of the General Laws is hereby amended by striking out section 22A, as most recently amended by chapter 251 of the acts of 1933, and inserting in place thereof the following fourteen sections: —

Refer to Article No. 38

Section 22A. As used in this section and in sections twenty-three B to twenty-three M, inclusive, the following words and phrases shall, unless the context requires otherwise, have the following meanings: —

(a) "Municipality", any city or town.

(b) "Department", the department of public utilities.

(c) "Planning board", the planning board of a city or town.

(d) "Person" shall include individuals, firms, corporations, partnerships, and their agents and employees.

(e) "Poles and overhead wires and associated overhead structures" shall mean poles, towers, supports, wires, conductors, guys, stubs, platforms, crossarms, braces, transformers, insulators, cut-outs, switches, communication circuits, appliances, attachments, and appurtenances located above ground upon, along or across any public way or ways of a municipality and used or useful in the transmission of intelligence by electricity or otherwise, or for the transmission of television signals, whether by electricity or otherwise, or for the transmission of electricity for lighting, heating or power, or for the construction or operation of a street railway or an electric railroad; provided, however, that said phrase shall not mean or include any of the following: poles, towers, overhead wires and associated overhead structures used exclusively in the transmission but not the distribution of electricity; poles used exclusively for police and fire alarm boxes or any similar municipal equipment installed under the supervision and to the satisfaction of the engineer of any municipality; wires (exclusive of supporting structures) crossing any portion of any underground utility district from which overhead wires have been prohibited, or connecting to buildings on the perimeter of such portion, when such wires originate in an area from which poles and overhead wires and associated overhead structures are not prohibited; overhead wires attached to the exterior surface of a building by means of a bracket or other fixture and extending from one location on the same building or to an adjacent building without crossing any public street; radio antennae, their associated equipment and supporting structures, used by a utility for furnishing communication services; and service terminals including transformers in pedestals above ground, used to distribute electric or communication service in underground systems.

(f) "Utility", any person who has been or may be granted any license, permission or other authority to construct or maintain poles and wires and associated overhead structures upon, along, under or across any public way or ways.

(g) "Engineer of the municipality", the town engineer or commissioner of public works, or other officer or employee having corresponding duties.

(h) "Transmission", the carrying of electric power in excess of twenty thousand volts, phase-to-phase.

Section 22 B. The planning board of any town, if any, or in a town having no such board, the board of selectmen and the city council of any city or a committee designated and appointed for the purpose by it, may (after completing such preliminary consideration and study, including consultation with any utility as it may deem appropriate) at any time by resolution designating the time and place therefor call a public hearing to ascertain whether the public safety, health, convenience or welfare would be advanced by a program (a) prohibiting new installation or construction of or (b) requiring progressive removal of poles and overhead wires and associated overhead structures within all or any part or parts of the municipality. After such hearing the planning board, board of selectmen, city council or committee, as the case may be, shall make a report of its findings, conclusions, and recommendations which shall be filed with the records of the city council or the town meeting of the municipality.

Section 22C. After such report has been filed, the municipality may adopt an ordinance or by-law which shall forbid a utility to install or construct except by way of replacement or upgrading of existing facilities any poles and overhead wires and associated overhead structures upon, along or across any public way within all or any part or parts of the municipality and shall require a utility to remove immediately any poles and overhead wires and associated overhead structures installed or constructed by it in violation of such ordinance or by-law. Any such ordinance or by-law shall specify whether it applies to all of the municipality or only to a part or parts thereof and, of only to a part or parts, shall describe such part or parts with reasonable certainty by reference to the names of any way or ways to all or any designated portions thereof to which it applies, by reference to a map, or by other suitable means. Any person who installs or constructs any poles and overhead wires and associated overhead structures in violation of any such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars. Any erson who fails to remove immediately any poles and overhead wires and associated overhead structures in violation of any such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars for each consecutive fifteen day period during which his failure continues.

Section 22D. After a report has been filed under section twenty-two B, the municipality may adopt an ordinance or by-law which shall require a utility to remove its poles and overhead wires and associated overhead structures which are located upon, along or across any public way or ways within all or any part or parts of the municipality. Any such ordinance or by-law shall specify whether it applies to all of the municipality or only to a part or parts thereof and, if only to a part or parts, shall describe such part or parts with reasonable certainty by reference to the names of any way or ways to all or any designated portions thereof to which it applies, by reference to a map, or by other suitable means.

Such ordinance or by-law may specify in whole or in part the sequence which any utility shall follow in removing its poles and overhead wires and associated overhead structures by specifying the part or parts of the municipality in which removal shall first be effected, then the part or parts in which removal shall next be effected.

Any utility which fails to remove any overhead wires and associated overhead structures as required by such ordinance or by-law shall be punished by a fine of not less than one thousand dollars and not more than five thousand dollars for each consecutive fifteen day period during which such failure continues; provided, however, that no utility shall be deemed to have violated any such ordinance or by-law, provided that (a) if relacement facilities for poles and overhead wires and associated overhead structures required to be removed will be needed in order for it to continue its service, it shall within sixty days after the effective date of such ordinance or by-law petition pursuant to section twenty-two for permission to erect or construct under the public ways of said municipality replacement facilities for said poles and overhead wires and associated overhead structures, and (b) it shall prepare and file with the board of selectmen or city council of the municipality a plan (which shall be consistant with any removal sequence specified in such ordinance or by-law) for the removal of such poles and overhead wires and associated overhead structures and, if needed for the continuation of its service, for their replacement with underground facilities, and (c) in each calendar year beginning with the calendar year next following the effective date of such ordinance or by-law and until all such overhead wires and associated overhead structures shall have been removed, it shall, in carrying out such plan, allocate and expend for the direct cost of demolition and construction (over and above the reasonable value of any salvage) an amount which shall be not less than two per cent of its gross revenue derived during the next preceding calendar year from its customers in said municipality; provided, however, it may carry over as a credit allocable to any one or more of the next nine subsequent years any amount expended in any year exceeding said two per cent of its gross revenue; and (d) it shall, on or before the last day of March in each year,file with the board of selectmen or city council of such municipality a statement signed, under the penalties of perjury, by its treasurer setting forth in detail: the amounts sent by it during the immediately preceding calendar year in carrying out said plan, the purpose for which such expenditures were made; and the gross revenue derived from its customers in said municipality during the immediately preceding calendar year; and provided, however, that no utility which enters into a cooperation agreement under section twenty-two E shall be deemed to have violated said ordinance or by-law during the term such payments are to be made, so long as said utility shall not be in default of said cooperation agreement.

If any such ordinance or by-law so provides, any utility in providing replacement facilities for any poles and overhead wires and associated overhead structures required to be removed shall install customer's service facilities. Any sums expended by any utility in installing such customer's service facilities in compliance with such ordinance or by-law shall be deemed to have been expended in carrying out the plan of such utility, referred to in this section, for the removal of such poles and overhead wires and associated overhead structures, and for their replacement by underground facilities.

Section 22E. Any utility organized and existing under the laws of or doing business in this commonwealth and any municipality may enter into, and from time amend, and perform a cooperation agreement pursuant to which (a) the utility shall pay to the municipality in each calendar year for a period of years specified in such agreement an amount which shall be not less than two per cent of such utility's gross revenue derived during the next preceding calendar year from its customers in said municipality and (b) the municipality shall expend during such term as such agreement may specify an amount not exceeding the sums paid to it by the utility pursuant to such agreement to remove (or cause to be removed) any poles and overhead wires and associated overhead structures of such utility and, if needed for the continuation of such utility's service, to replace the same (or cause them to be replaced) with

underground facilities. In carrying out its obligations under any such cooperation agreement, a municipality may exercise all of its powers appurtenant to the performance of any public work and may award contracts in the same manner and subject to the same limitations and restrictions as would apply to like contracts in reference to the planning or performance of any public work. Such cooperation agreement may contain any and all such provisions as shall be consistent with the purposes of this section, including a provision that the municipality shall expend a portion of the sums paid to it by the utility for the provision of customers service facilities.

Section 22F. The municipality shall comply with the following provisions with reference to notice:

(a) When the planning board, board of selectmen, city council or committee of any municipality calls a public hearing pursuant to section twenty-two B, the clerk of the municipality shall publish a copy of said resolution in a newspaper of general circulation in the municipality at least once not more than fifteen nor less than five days prior to said hearing.

(b) When a municipality adopts an ordinance or by-law pursuant to section twenty-two C or section twenty-two D the clerk of the municipality shall, in addition to any other notice required by law, notify all utilities known to have poles and overhead wires and associated overhead structures affected by said ordinance or by-law and all persons known to own real property served by said poles and overhead wires and associated overhead structures, by mailing a copy thereof to said persons and utilities within thirty days after the date it was adopted.

Section 22G. The board of selectmen or city council of any municipality may grant special permission, for such period and on such terms as it may deem appropriate, in cases of emergency or unusual circumstances, without discrimination as to any person or utility, to erect, construct, install, maintain, use or operate, poles and overhead wires and associated overhead structures, notwithstanding the provisions of any ordinance or by-law adopted pursuant to section twenty-two C or twenty-two D. No person shall be deemed to have violated any ordinance or by-law adopted pursuant to section twenty-two C or section twenty-two D for doing any act authorized by any such special permission.

Section 22H. If underground construction is necessary to provide replacement facilities for any poles and overhead wires and associated overhead structures removed pursuant to any ordinance or by-law enacted pursuant to section twenty-two D the utility shall be responsible to furnish in connection with such replacement facilities only that portion of the conduit, conductors and associated equipment required to be furnished by it under its applicable rules, regulations and tarriffs on file with the department (herinafter called the "utility's service facilities"); provided, however, that the utility shall by its tariff offer to carry its lines up to any structure which is to receive service or a distance of fifty feet from the street, whichever is the lesser; and provided, further, that if any ordinance or by-law adopted pursuant to section twenty-two D so provides, any utility in providing underground replacement facilities for any poles and overhead wires and associated overhead structures shall install customer's service facilities. Underground construction by the utility, or by or on behalf of any municipality, pursuant to any cooperation agreement entered into pursuant to section twenty-two E shall be accomplished in accordance with the rules and regulations authorized by the department, and shall be scheduled so as to be completed at or prior to removal of such poles and overhead wires and associated overhead structures as are being removed.

Section 22I. All underground construction and conduits, conductors and associated equipment necessary to receive utility service between the utility's service facilities referred to in section twenty-two H and the service facilities in the building or structure being served shall be deemed "customer's service facilities".

To the extent required by any ordinance or by-law adopted pursuant to section twenty-two D may provide, any utility in providing underground replacement facilities for any poles and overhead wires and associated overhead structures shall install customer'sservice facilities. In all other respects the provision of customer's service facilities shall be the responsibility of the person owning, operating, leasing or renting said property, subject to applicable rules, regulations and tariffs of the utility on file with the department and to the requirements of applicable laws, ordinances and by-laws. If the person owning, operating, leasing or renting said property fails to provide such customer's service facilities which are his resposibility prior to the time for removal of the poles and overhead wires and associated overhead structures of the utility, the engineer of the municipality shall have the authority to order the disconnection and removal of any and all overhead service wires and associated facilities supplying utility service to said property at the expense of the person owning, operating, leasing or renting said property, and the municipality shall have a claim against said person for the cost thereof and a lien against said property to secure said claim. No utility shall be in violation of any such ordinance or by-law in continuing to maintain overhead facilities necessary to serve such person during the period of such person's failure to provide customer's service facilities for which he is responsible and such reasonable time thereafter as may be necessary to remove such overhead facilities. No utility shall be deemed to be in violation of any law,by-law or ordinance or any obligation to the public or to any person by reason of such utility's discontinuing service to any property in the event of failure of the person owning, operating, leasing or renting said property to provide customer's service facilities for which he is responsible prior to the removal by any utility of its poles and overhead wires and associated overhead structures as required by any ordinance or by-law adopted pursuant to section twenty-two D of this chapter.

Section 22J. When a municipality adopts an ordinance or by-law pursuant to section twenty-two D, it shall remove its police and fire alarm circuits or any similar municipal equipment at its own expense from all poles required to be removed, and the removal of such circuits shall be completed in such manner and in such time as not to hinder or intefere with action taken by the utility to comply with said ordance or by-law.

Section 22K. If any act required by an ordinance or by-law adopted pursuant to section twenty-two D cannot be performed within the time provided on account of shortage of materials, war, restraint by public authorities, strikes, labor disturbances, or any other circumstances beyond the control of the person obligated to perform such act, then the time within which such act will be accomplished shall be extended for a period equivalent to the time of such limitations.

Section 22L. If at any time one or more but less than all of the municipalities in which the customers of any one utility are located adopt an ordinance or by-law forbidding new installation of overhead facilities under section twenty-two C, the department of public utilities shall, in accordance with the provisions of section fourteen of chapter one hundred and fifty-nine and section ninety-four of chapter one hundred and sixty-four, after notice to all the municipalities in which such customers are located, and a hearing, establish a differential between the rates charged customers located in municipalities which have adopted such ordinance and those located in municipalities which have not adopted such ordinance, provided that no such differential, however introduced or effected,

shall at any time result in revenues materially exceeding any increased cost of providing service caused solely by adoption of such ordinance by such municipality. The foregoing procedure for establishing such differential shall be exclusive.

Section 22M. In addition to all other rates, charges and fees it may otherwise be authorized to impose and collect any utility shall impose and collect as a capital contribution towards the cost of construction a surcharge of two per cent on its total billing to each customer located in a city or town which has in force and effect an ordinance or by-law adopted in accordance with the provisions of section twenty-two D, provided said utility is not in violation of the provisions of said ordinance or by-law and provided further said ordinance or by-law has been in effect for a period of at least one year.

Section 22N. Any ordinance or by-law adopted under the provisions of section twenty-two C or section twenty-two D shall become effective on the first day of January next following a date nine months subsequent to the date of its enactment.

Section 2. Section 81M of chapter 41 of the General Laws is hereby amended by striking out the second sentence, as appearing in section 7 of chapter 674 of the acts of 1953, and inserting in place thereof the following sentence: — The powers of a planning board and of a board of appeal under the subdivision control law shall be exercised with due regard for the provision of adequate access to all of the lots in a subdivision by ways that will be safe and convenient for travel; for lessening congestion in such ways and in the adjacent public ways, for reducing danger to life and limb in the operation of motor vehicles; for securing safety in the case of fire, flood, panic and other emergencies; for insuring compliance with the applicable zoning ordinances or by-laws; for securing adequate provision for water, sewerage, drainage, underground utility services, fire, police, and other similar municipal equipment, and street lighting and other requirements where necessary in a subdivision; and for coordinating the ways in a subdivision with each other and with the public ways in the city or town in which it is located and with the ways in neighboring subdivisions.

Section 3. Section 81Q of said chapter 41 is hereby amended by inserting after the sixth sentence the following sentence: — Such rules and regulations may set forth a requirement that underground distribution systems be provided for any and all utility services, including electrical and telephone services, as may be specified in such rules and regulations, and may set forth a requirement that poles and any associated overhead structures, of a design approved by the planning board, be provided for use for police and fire alarm boxes and any similar municipal equipment and for use for street lighting.

Section 4. Clause Sixteenth of section 5 of chapter 59 of the General Laws, as most recently amended by chapter 541 of the acts of 1947, is hereby amended by inserting after paragraph 1 the following paragraph: —

(1A) Underground wires, conduits and appurtenant equipment installed in accordance with the provisions of an ordinance or by-law adopted pursuant to the provisions of section twenty-two C or section twenty-two D of chapter one hundred and sixty-six to the extent of seventy-five per cent of the value thereof.

Section 5. No provision of this act shall be deemed to restrict or limit the power of any city or town to regulate or prohibit the construction, installation, maintenance or use or poles and overhead wires and associated overhead structures pursuant to or under the authority granted by any other provision of law.

Approved August 29, 1969.

PROPOSED AMENDMENT

ZONING BY-LAW

ON PLANNED DEVELOPMENT

The following article, submitted by the Planning Board, is a proposed addition to the Zoning By-Laws to allow for multi-residence dwellings on specific parcels of land in Wayland.

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ARTICLE

To see if the Town will vote to amend the Planned Development Section of the Zoning By-Laws, which have been approved by the vote of the 1974 Annual Town Meeting, by adding the following new paragraph to Section IX, paragraph C:

3. Convenience retail sales and service establishments, including, without limitation, neighborhood variety food stores and drug stores, but excluding gasoline service stations or fast food stores, provided that:

   (a) No more than one such establishment shall be permitted for each one hundred dwelling units constructed.

   (b) No such establishment shall occupy more than 2,000 square feet of space.

   (c) The Board of Zoning Appeals shall have endorsed its approval on a site plan of the establishment proposed pursuant to the provisions of Section X A of these Zoning By-laws.

   (d) The Board of Zoning Appeals shall find that such an establishment meets the standards set forth in paragraph D below and the objectives set forth in paragraph A above.

SECTION IX B. PLANNED DEVELOPMENT

A. OBJECTIVE

In accord with the provisions of G.L. chapter 40 A, chapter 41, section 81 I, the Home Rule Amendment (Article 89) to the Constitution of the Commonwealth of Massachusetts, and every other power that the Town of Wayland may exercise, the Board of Zoning Appeals may grant special permits exempting planned developments which satisfy the terms and conditions which may properly be imposed pursuant to this Section IX B from certain regulations and restrictions contained in these Zoning By-laws for the purposes set forth in G.L. chapter 40 A, sections 2 and 3 and to achieve the following objectives in any site which shall have been approved by a two-thirds vote of a town meeting:

1. Development that conserves environmental features, woodlands, wet lands, productive farms and areas of scenic beauty, and preserves sites and structures of historical importance.

2. Development that encourages the construction and location of multi-residence dwellings in certain sites in order to preserve open space in Wayland for all its inhabitants.

3. Development that provides for a variety of housing in Wayland.

4. Development that will permit the Town to continue to provide the same quality of municipal services without imposing an increased financial burden on its citizens.

B. DEFINITIONS

1. *Applicant*

   The person or persons, including a corporation or other legal entity, who applies for issuance of a special permit hereunder. The applicant must own, or be the beneficial owner of, all the land included in the planned development site proposed, or have authority from the owner(s) to act for him or hold an option or contract duly executed by the owner(s) and the applicant giving the latter the right to acquire the land to be included in the site within a period of sixty days from the time that the applicant shall notify the owner(s).

2. *Bedroom*

   A separate room intended for, or which customarily could be used for sleeping.

3. *Buffer*

   An area within a planned development site adjacent to its boundaries, roads, streams and ponds which may not be developed except as provided herein.

4. *Buildable Acreage*

   The total acreage of a planned development site minus all wet areas.

5. *Development Schedule*

   A program showing the order of construction and the sequence of improvements to be built or furnished in the planned development site defined by stages where applicable.

6. *Dwelling Unit*

   A residence. Each residence shall contain at least a kitchen-living area, a bathroom and one or more bedrooms.

7. *Land*

   Land, including areas covered by water.

8. *Multi-residence Dwelling or Building*

   A building containing more than one dwelling unit.

9. *Public Land*

   Land included in the planned development site which is donated in fee except for such encumbrances as may be permitted by the Board of Zoning Appeals, and accepted by the Town in connection with the planned development.

10. *Private Open Space*

    Land included in the planned development site which is neither public land nor residential land.

11. *Residential Land*

    Land included in the planned development site which shall be submitted by the applicant to the provisions of G.L. chapter 183 A.

12. *Stage of Development*

    The work to be done and the number of structures to be built within any of the time limits defined by the development schedule.

13. *Wet Areas*

    Wet areas include water areas and other land in any of the following categories:

    (a) *Flood Plain Land*

    Land having an elevation of less than 124 feet above mean sea level.

(b) *Watershed Protection District*

All lands within the Watershed Protection District originally established by vote of the Town under Article 17 of the 1967 Annual Town Meeting as the same may be amended from time to time.

(c) *Wetland*

Land which is ordinarily submerged during any portion of the year.

C. PERMITTED USES

1. In a planned development site, no building or premises shall be used nor shall any building or structure be constructed, reconstructed, repaired or used, except as follows:

   (a) Any use permitted as of right by Section V of these By-laws shall be permitted therein as of right.

   (b) Any use permitted if a special permit is obtained from the Board of Zoning Appeals in accordance with the provisions of Section V (r) shall be permitted therein subject to the same proviso.

   (c) Multi-residence condominium dwellings shall be permitted therein, provided that a special permit is obtained from the Board of Zoning Appeals in accordance with the provisions of this Section IX B.

2. No multi-residence condominium dwelling shall be permitted in a planned development site in the event that the applicant shall have constructed or reconstructed any building or structure on residential land for any use permitted under paragraphs C 1 (a) and (b) above after the site has ben approved by vote of the Town.

D. STANDARDS

1. *Qualifying Area*

   In order to qualify as a planned development site, a parcel of land shall contain at least 125 contiguous acres not divided by an existing street or aqueduct. Additional parcels may be included in a planned development site by vote of the Town, although such parcels are divided from the qualifying parcel by a street or an aqueduct.

2. *Principals*

   No application for a special permit shall be approved unless the Board of Zoning Appeals shall find:

   (a) That the development plan proposed is financially sound.

   (b) That the applicant's associates, professional advisers and contractors are qualified by training and/or experience to develop real estate and to construct multi-residence dwellings comparable to those proposed in accord with the development schedule set forth in his application.

3. *Development Schedule*

   A development schedule shall be required that considers the capacity of the applicant to develop as well as the ability of the Town to provide public services in accord with the provisions of paragraph A 4 above.

4. *Open Space Coverage*

   At least 70% of the area of a planned development site shall consist of public land and private open space; and at least 35% of the area of a planned development site shall be public land.

5. *Preservation of Natural and Historical Features*

Natural and historical features of special interest, including hill tops, cliffs and bluffs, ravines, attractive groves of trees, biological habitats of special interest, and views of unusual charm shall be preserved.

6. *Ground Coverage Limitations*

No more than 15% of the total area of a planned development site shall be occupied by structures, parking areas, roadways and driveways, patios, storage spaces or enclosed areas; provided, however, that buildings and structures erected on public land shall not be included in this calculation.

7. *Density of Dwelling Units*

(a) The maximum number of dwelling units that may be allowed in a planned development site shall be determined by the Board of Zoning Appeals in accord with the following formula:

$D = K (A - W)$ where

D = the maximum number of dwelling units,

K = the density factor,

A = total number of acres in a planned development site and

W = number of acres of wet areas.

(b) The density factor (K) shall be a value recommended by the Planning Board within the following ranges:

(1) 1.0 to 1.4, inclusive, in a 60,000 square foot residence zone;

(2) 1.25 to 1.75, inclusive, in a 40,000 square foot residence zone;

based on the following criteria:

(i) The nature, size and distribution of the wet areas in the site as well as the soil drainage conditions there;

(ii) The topography;

(iii) The amount and location of land available for parking, access and unobstructed areas between nearby buildings;

(iv) The extent to which the plan provides access to county or state highways or other modes of transportation; and

(v) The acreage donated to the Town for public land in excess of the minimum amount set forth in paragraph D 4 above.

(c) In the event that it is proposed to develop a planned development site in stages or over a period of years, the Planning Board may recommend that the development plan provide for greater concentration of density or intensity of land use within some section or sections of the site than in other sections, provided, however, that approval of such greater concentration shall be offset by a small concentration in a section that shall have been completed prior thereto and provided further that the total number of dwelling units in the planned development site shall not exceed the maximum determined in accord with the aforesaid formula.

8. *Number of Bedrooms*

The number of bedrooms in any planned development shall not exceed twice the number of dwelling units permitted by the special unit.

9. *Distribution of Bedrooms Among Dwelling Units*

No more than 70% of the dwelling units in any planned development site, or at the completion of any stage of construction permitted in the development schedule, shall contain the same number of bedrooms.

10. *Maximum Number of Dwelling Units Per Building*

No multi-residence dwelling in a planned development site shall contain more than 10 dwelling units.

11. *Buffers*

No structure may be erected nor may any land be paved within one hundred (100) feet of the perimeter of the planned development site nor from any pond, stream or way unless such construction shall have been recommended by the Planning Board acting in accord with the standards set forth in its Regulations. The Board of Zoning Appeals may, nevertheless, approve the construction in any such buffer of such structures, ways, foot and bicycle paths, fences and other landscape constructions, as well as bridges and recreational facilities recommended by the Planning Board if it shall determine that such construction and use may be in harmony with the general purpose and intent of Wayland's Zoning By-laws.

12. *Separation of Buildings*

The developer shall separate neighboring buildings to prevent overmassing and to assure privacy and a view to outlying open areas. Without limiting the generality of the foregoing, the distance between buildings shall be no less than seventy-five feet and every effort shall be made to design and locate buildings to retain and reflect the character of the community in which they are located.

13. *Height*

No building or structure shall be more than three stories in height nor exceed thirty-five feet in height from finished grade at any point.

14. *Parking*

A minimum of 2 parking spaces shall be provided for each dwelling unit. No lot providing for residential parking shall contain more than 25 parking spaces. Each parking lot shall be screened from ways by a landscaped border which shall be at least twenty-five feet wide.

15. *Utilities*

All electric, gas, telephone and water distribution lines shall be placed underground in accord with the Regulations of the Planning Board unless the Board of Zoning Appeals shall grant an exception to this requirement.

16. *Access to Public Land*

The applicant shall construct paths and trails leading to public lands and grant easements to the Town in and over such trails and paths.

17. *Roads*

All roads shall be designed, located and constructed in accord with the subdivision regulations promulgated by the Planning Board as the same may be, from time to time amended.

18. *Paths*

Paths for the use of residents shall be attractively designed with proper regard to convenience, separation of vehicular, bicycle and pedestrian traffic, adequate connectivity, completeness of access to the various amenities and facilities on the site.

19. *Surface Drainage*

The surface drainage system shall be designed in accord with the Regulations of the Planning Board.

20. *Septic Disposal*

All waste water treatment and or sewage disposal facilities shall be designed and constructed in accord with the provisions of Article XI of the Sanitary Code promulgated by the Massachusetts Department of Public Health, the Regulations of the Board of Health and all other laws pertaining thereto.

E. ADMINISTRATION

1. *Submission of Preliminary Development Plan*

No planned development site will be approved by any town meeting pursuant to the provisions of Section 3 below, unless the applicant shall have submitted to the Planning Board, at his expense, no less than one hundred eighty days prior to such meeting, a preliminary development plan, together with the filing fee determined in accord with paragraph I below. Such preliminary development plan shall contain, without limitation, all information required by Regulations promulgated by the Planning Board in order to permit it to submit its report thereon with recommendations to the town meeting. Written notice, containing a copy of said plan, shall be given by the applicant to the Town Clerk, the Conservation Commission, the Finance Committee, the Fire Chief, the Board of Health, the Inspector of Buildings, the Park and Recreation Commissioners, the Police Chief, the Road Commissioners, the School Committee, the School Building Planning Committee, the Selectmen, the Commissioners of the Water Department and the Board of Zoning Appeals.

2. *Review and Action by the Planning Board*

(a) The Planning Board shall hold a public hearing on each such plan within sixty days after it has been submitted giving notice of the time and place thereof and of the subject matter in accord with the provisions of G.L. chapter 40 A, section 6 as the same may be from time to time amended.

(b) After consulting with the other committees and officials who were notified of the submission of the preliminary development plan and making such investigation as it may deem necessary, the Planning Board shall submit its report with recommendations to the town meeting which next follows said one hundred eighty day period provided that an article regarding approval of the planned development site in question shall have been included in the warrant therefor.

(c) On the event that a preliminary development plan shall have been filed with the Planning Board prior to adoption of this Section IX B of the Zoning By-laws and if the Planning Board shall have complied with the provisions of sections 2 (a) and (b) above, except for the time limits prescribed therein, then the Town Meeting adopting this Section may at any time after such adoption, approve the planned development site described in said preliminary plan.

3. *Town Meeting Action*

In the event that a planned development site shall have been approved by a two-thirds vote of a town meeting, such approval shall continue but only for a period of 24 months unless a special permit shall have been granted prior to the expiration of said term by the Board of Zoning Appeals upon a development plan for said site.

4. *Application for a Special Permit*

An application for a special permit to develop a planned development site shall be submitted on forms furnished by the Planning Board and shall be filed simultaneously with the Board of Zoning Appeals,

the Planning Board and the Town Clerk. Copies thereof shall be furnished to the other boards and officials described in paragraph E 1 above. Each such application shall be accompanied, if applicable, by a definitive plan of land pursuant to the provisions of G.L. chapter 41, sections 81 O and 81 T as the same may be from time to time amended, a filing fee determined in accord with paragraph I below, and a development plan containing the following information and data:

(a) The name(s) and address(es) of the applicant and all legal and beneficial owners of the site; copies of all instruments, options, contracts or encumbrances affecting ownership of the planned development site together with the opinion of an attorney concerning the state of the title; and an instrument executed by all persons owning property within the site agreeing that the development is desired.

(b) A plan suitable for recording of the planned development site showing all structures and improvements on the site, all ways and utilities serving the same, all lot lines, easements and rights of way of record.

(c) All information required by the Planning Board regarding the training and experience of the applicant, his associates, professional advisers and contractors in the development and management of real estate, the construction of multi-residence dwellings as well as their respective financial positons. Such information may include a list of all persons and organizations with which he has been associated in the development or real estate during the past 10 years, including their addresses and the names of their principal officers, as well as all sources of credit upon which he relies to acquire, develop and manage the planned development site. The applicant shall furnish copies of such transcripts, records, letters of intent, contracts as well as all other documentation that the Planning Board may require to determine whether the applicant is qualified to undertake and complete the planned development proposed and whether his plan for financing the same is sound.

(d) A proposed development schedule showing the beginning of construction, the rate of construction and development, including stages, if applicable, and the estimated date of completion.

(e) Information showing the effect, from time to time, of the development on the Town's capacity to furnish services including, but not limited to, schooling, roads, water and sanitation.

(f) A map, to the scale required by the Planning Board, of the planned development site and the community surrounding the same to a distance of one half mile and showing all proposed points of interconnection including roads, open space, utilities and schools.

(g) A plan or plans to the scale required by the Planning Board, the topography of the site at a minimum of two foot intervals, as well as vegetation and special features, including all woodlands, wetlands, groups of trees or individual trees worthy of preservation, rock outcroppings, significant slopes, trails and paths, flowing streams and drainage ways, and ponds, productive agricultural lands, open vistas; structures of historical importance and biological or wildlife habitats.

(h) Plans for the preservation of the vegetation and special features shown on said plan.

(i) All information that the Planning Board may require to determine limitations on private open space, ground coverage and density.

(j) Information regarding the number and kind of dwelling units proposed, including their location, the number of bedrooms planned, the sale prices anticipated and population projections pertaining thereto.

(k) A plan or plans, to the scale required by the Planning Board, showing existing and proposed contours, roads, lighting, utility and sewerage systems; the areas to be set aside for public land, for private open space, for municipal facilities, buffers, for building structures and parking areas.

(l) A model or models illustrating preliminary landscaping and architectural design, showing types, location and layout of buildings, typical elevations, as well as the general height, bulk and appearance of structures. Perspective drawings may be required.

(m) A report showing the manner of construction of structures and describing structural and paving materials, all in accord with the minimum standards prescribed in the most recent edition of the Regulations of the Building Officials and Code Administrators International, Inc.

(n) Information showing the street name and numbering system proposed and any supplementary methods proposed for identifying places and residences in the site.

(o) The organization which the applicant proposes to form to own and maintain the residential land, including forms and plans to be used to organize and manage the same.

(p) Copies of all proposed covenants, easements, and other restrictions which the applicant proposes to grant to the Town, utility companies, the condominium and the owners thereof, including plans of land to which they are intended to apply.

(q) Proposals for the disposition of sanitary waste and storm water.

(r) Any and all other information that the Planning Board may reasonably require in a form acceptable to it to assist it in advising the Board of Zoning Appeals as to whether the applicant's development plan proposed meets the objectives of paragraph A and satisfies the standards of paragraph D above.

5. *Review and Action by the Planning Board*

Before submitting its recommendations to the Board of Zoning Appeals regarding a development plan, as the same may have been modified from time to time since it was first submitted, the Planning Board shall request a report from the Board of Health pursuant to G.L. chapter 41 section 81 U and hold a public hearing on such plan, giving notice of the time and place thereof and of the subject matter in accord wih the provisions of G.L. chapter 41, section 81 T, as the same may be, from time to time, amended. Within 90 days after submission of such development plan, the Planning Board shall file a written report to the Board of Zoning Appeals recommending approval or disapproval of said plan. In the event that it shall recommend disapproval of such plan, the Planning Board shall make specific findings and set forth the reason or reasons therefor in such report and, where possible, shall advise the Board of Zoning Appeals of how the plan may be adjusted to comply with the Zoning By-laws.

6. *Review and Action by the Board of Zoning Appeals*

(a) Within thirty days after it receives the report of the Planning Board upon such development plan as well as notice that the Planning Board has approved applicant's definitive plan of land pursuant to the provisions of G.L. chapter 41, section 81 U and

V, if required, the Board of Zoning Appeals shall fix a reasonable time for the hearing of said application for a special permit, giving notice thereof in accord with the provisions of G.L. chapter 40 A, section 17, as the same may be, from time to time, amended.

(b) In the event that the Board shall decide, after the conclusion of such hearing, not to grant such a special permit, it shall notify all parties in interest of its decision as provided in G.L. chapter 40 A, section 18, as the same may be, from time to time, amended.

(c) If, on the other hand, the Board shall be inclined to grant such a special permit, it shall, within thirty days after the date of the conclusion of the public hearing, send to the applicant a proposed special permit containing the development plan approved, as well as such conditions and safeguards it deems appropriate to assure that the site approved shall be developed in complete harmony with the general purpose and intent of G.L. chapter 40 A, section 4 and the Zoning By-laws of the Town of Wayland. Without limiting this general purpose and intent, such conditions and safeguards shall include:

(1) A requirement that the applicant shall submit the following to the Board of Zoning Appeals:

(i) A plan suitable for recording showing all the public land, the private open space and the residential land in the planned development site;

(ii) A deed conveying to the Town a good and clear record and marketable title free of all encumbrances to all land designated as "public land" on the approved development plan;

(iii) An instrument, suitable for recording pursuant to the provisions of G.L. chapter 194, sections 26 through 33, imposing a conservation restriction for the benefit of said public land upon all land designated "private open space" on the approved development plan, but reserving to the grantor the right to use and develop the same in accord with the provisions of paragraph F below. The said restriction shall be enforceable by the Town of Wayland pursuant to the provisions of G.L. chapter 184, section 30.

(iv) A master deed duly executed and recorded by the applicant submitting all residential land to the provisions of G.L. chapter 183 A, as well as a copy of the By-laws duly adopted by the organization of unit owners.

(2) A development schedule bearing the signature of the applicant showing dates for:

(i) Commencement of development within one year after recording of the Special Permit applied for,

(ii) completion of each stage of the development proposed, if applicable;

(iii) the recording of covenants, restrictions and/or easements in private open space; and

(iv) completion of the planned development.

(3) Negotiable instruments, deposits of money and/or a performance bond of a surety company qualified to do business in the Commonwealth of Massachusetts and satisfactory

to the Board of Zoning Appeals shall be furnished and maintained by the applicant and a covenant shall be executed and recorded by the applicant, running with the land, which shall be sufficient, in the opinion of the Board of Zoning Appeals to secure adherence by the applicant to the development plan approved and performance of such plan in accord with the development schedule set forth therein. All such covenants shall provide the applicant shall pay fifty ($50) dollars to the Town, as liquidated, for each day that shall pass after the expiration of 90 days from the time that any work shall not have been completed as required by the development schedule, unless said work shall have been stopped for a period of thirty days under a court order or if it shall be stopped or delayed through no act or fault of the applicant or of any the contractors that he has engaged to develop the site.

(4) A requirement that the professionals and principals named in the development plan shall continue to participate in the development in the capacities specified in the plan approved, unless the Board of Appeals shall have modified the permit as hereinafter provided.

(5) Regulations to minimize inconveniences to residents in the general area, whether of noise, vibration, dust, blocking of Town roads, or otherwise.

(6) A requirement that as built drawings shall be filed with the Inspector of Buildings upon completion of each stage of the development.

(d) The applicant shall, within sixty days after he receives a copy of the proposed special permit from the Board of Zoning Appeals notify said Board of his acceptance of or his refusal to accept all the conditions and safegurads set forth therein. In the event that the applicant shall notify said Board that he accepts all such conditions, he shall file with his notice copies of the plan and the instruments that he proposes to submit pursuant to paragraph 6 (e) below to satisfy the requirements of paragraph 6 (c) (1) through (3) above. In the event that the applicant shall not within said period notify the Board of Zoning Appeals that he accepts all said conditions and safeguards, or if he shall fail to submit copies of the aforesaid plan and instruments, the Board of Zoning Appeals shall be deemed to have denied approval of the development plan and his application for a special permit. The Board of Zoning Appeals and the applicant may, nevertheless, agree to a change in any such conditions, and the Board of Zoning Appeals may, at the request of the applicant, extend the time during which the applicant shall notify the Board of Appeals of his acceptance or refusal to accept the conditions and safeguards proposed.

(e) Within sixty days after he has notified the Board of Zoning Appeals of his acceptance, the applicant shall deliver to said Board all of the documents described in paragraph E 6 (c) (1) through (3) except the instrument and master deed required by paragraph E 6 (a) (1) (iii) — (iv) above, together with any and all other instruments and fees that may have been imposed as a condition or safeguard upon exercise of the special permit applied for.

(f) Upon receipt of all such material, the Board of Zoning Appeals may grant such special permit to the applicant in accord with the procedure set forth in said G.L. chapter 40 A, section 18, subject, however, to such conditions and safeguards as it may impose pursuant to section 4 of the Zoning Enabling Act.

7. *Permits for Use and Construction*

(a) No permit for the construction or alteration of any structure or for any new use of a structure or of land in planned development site shall be granted by the Inspector of Buildings or permitted by the Inspector of Zoning until the Planning Board shall have reviewed a copy of each application for a building permit and*or a use permit submitted to it by the applicant and notified the said inspectors in writing that:

(1) Less than one year has expired since the grant of the Special Permit or that a building or use permit has previously been granted for said site.

(2) The applicant has delivered the instrument required by paragraphs E 6 (a) (1) (iii) above to the Board of Appeals;

(3) The applicant has obtained binding commitments for the financing required to complete the stage of development proposed or in progress in residential land or that he has irrevocably committed personal funds sufficient for this purpose; and

(4) That the construction and/or use proposed is in substantial compliance with the definitive plan of the subdivision, where applicable, the planned development plan and the Zoning By-laws of the Town of Wayland.

In the event that twenty days shall have elapsed after the Planning Board has received a copy of such application without submitting the aforesaid notification, the permit may issue as if the Planning Board had so notified the said inspectors.

(b) In the event that the Planning Board shall determine that the applicant has not satisfied the conditions and safeguards set forth in paragraph 7 (a) above or that any schedule, construction or use applied for will vary any of the following by ten percent or more from the planned development plan approved, it shall recommend that the inspectors of buildings and zoning withhold a permit therefor pursuant to the provisions of G.L. chapter 40 A, section 12, as the same may be, from time to time amended:

(1) The amount and location of open space coverage, including buffers;

(2) The limitation on and location of ground coverage;

(3) Adherence to the development schedule;

(4) The density and types of dwelling units, the size and height of buildings and the location thereof;

(5) The number of parking spaces required;

(6) The location of utility facilities;

(7) The location of paths, ways and traffic patterns;

(8) The economic impact of the planned development on the Town of Wayland.

(c) In such event, the applicant may either appeal such decision of the inspector of buildings or the inspector of zoning pursuant to the provisions of G.L. chapter 40 A, section 13 or apply for modification of his special permit as hereinbelow provided.

8. *Modification or Amendment of an Approved Plan*

(a) In addition to the powers conferred upon it by G.L. chapter 41, section 81 W, the Planning Board shall have the power on its own motion or on the petition of any person interested to recommend that the Board of Zoning Appeals modify or amend its approval of the development plan annexed to its

special permit, provided that no such recommendation may be filed until the Planning Board shall have satisfied the requirements of paragraph E 5 above.

(b) No modification of the provisions of said development plan, or part thereof, contained in the special permit, shall, nevertheless, be made, nor shall it be impaired by the Town, except with the written consent of the applicant.

9. *Abandonment*

In the event that the applicant shall abandon the work described in the development plan approved, or any portion or stage thereof for a period of one hundred twenty days, or if he shall fail to commence said work within the time prescribed in paragraph E 6 (c) (2) (iv) above, the Board of Zoning Appeals may, after a hearing duly called and conducted in accord with G.L. chapter 40 A, sections 17 through 19, cause a notice of abandonment to be recorded in the Middlesex, South District, Registry of Deeds. No such notice shall be recorded, however, in the event that the holder of any security interest in the planned development site, who has exercised his right to take possession of the mortgaged property and to proceed to completion of the work which he has contracted to finance, shall have delivered an instrument to the Board of Zoning Appeals, assented to by the applicant, accepting all the conditions and safeguards set forth in the special permit, as the same may have been, from time to time, modified; and such holder or holders shall, thereupon, be deemed the applicant hereunder. Upon the recording of a notice of abandonment, no further development shall take place in the development site unless the applicant shall have complied with the zoning and subdivision control regulations which would otherwise be applicable thereto.

F. USE AND MAINTENANCE OF LAND

1. *Use of Private Open Space*

No construction in or development of private open space shall be permitted unless the Board of Zoning Appeals shall have approved any of the following uses there in its special permit:

(a) Utility structures and facilities.

(b) Structures and facilities accessory thereto designed for agricultural and/or recreational purposes including structures designed to be used for the purposes and subject to the terms and conditions of Section V (d) 2 of the Zoning By-laws.

2. *Use and Maintenance of Residential Land*

(a) No person shall occupy any structure constructed in the planned development site unless the Inspector of Buildings shall find that such structure, the land on which it is located and the improvements associated therewith, have been submitted by the applicant to the provisions of G.L. chapter 183 A.

(b) In the event that any organization established under G.L. chapter 183 A, sections 8, 19 through 12 shall at any time fail to maintain its common areas and facilities in reasonable order and condition in accordance with the development plan set forth in the special permit, as the same may have been amended or modified from time to time, the Inspector of Buildings may serve written notice upon such organization or upon the residents of the planned development setting forth the manner in which the organization has failed to maintain its said areas and facilities in reasonable condition, and said notice shall include a demand that such deficiencies of maintenance be cured within thirty days thereof, and shall state the date and place of a

hearing thereon which shall be held within fourteen days of the notice. If the deficiencies set forth in the original notice shall not be cured within said thirty days or any extension thereof, the Town may maintain the same in reasonable condition at the expense of such organization and/or pursue any and all remedies that may be available to it under G.L. chapter 40, section 31, chapter 40 A, or otherwise to assure the continued maintenance of all such residential land.

(c) No portion of any common areas and facilities shall be sold or otherwise disposed of by such organizations unless the Town shall have given written notice of its intent to sell and sixty days to exercise a right of first refusal.

(d) No portion of any condominium shall be removed from the provisions of said chapter 183 A without the consent thereto by a two-thirds vote of a town meeting.

G. REGULATIONS

The Planning Board may prescribe, from time to time, rules and regulations to supplement the standards and conditions set forth in this section of the Zoning By-laws, provided:

1. Said rules and regulations are not inconsistent with said standards and conditions.
2. A copy of said rules and regulations is filed in the office of the Town Clerk, and
3. Any amendment or change of said rules and regulations shall not apply to any application that shall have been submitted prior to such filing.

H. ENFORCEMENT

1. *General Principles*

(a) In accord with the provisions of G.L. chapter 40, section 31, chapter 40 A, section 22, chapter 41, section 81 U and Article 20 of the By-laws of the Town of Wayland and every other authority and power that may have been or may hereafter be conferred upon it, the Town may enforce the conditions and safeguards imposed on the exercise of special permits under this Section IX in equity or at law and to recover from the applicant, his successor or approved assignee(s) all moneys that may be required to complete the development plan approved.

(b) The penalty provisions of these By-laws may be imposed upon the applicant, his general agent, tenant(s), architect(s), contractor(s), or any and all persons having an interest in the development site, including a mechanic's lien, mortgage or attachment.

(c) The Town of Wayland shall be the beneficiary of all fines imposed on account of the violation of these By-laws in order to defray the expense of enforcing the same.

(d) All provisions of the development plan approved shall run in favor of the residents thereof but only to the extent expressly provided in the plan and in accordance with the terms of the plan, and to that extent said provisions, whether recorded by plan, covenant, easement, or otherwise, may be enforced at law or in equity by said residents acting indvidually, jointly, or through their organization.

2. *Stop Order*

(a) In the event of a violation of law, an unauthorized sale or lease of the development site approved, development that deviates from the devlopmnt plan approvd, any use of the property that is not permitted in the development site, the failure to maintain residential land or if the applicant shall otherwise fail or neglect to comply with the conditions and safeguards imposed on the exercise of his special permit, the Inspector of Zoning or the Inspector of Buildings may deliver a Stop Order to the applicant or his agent by certified mail, return receipt requested, and by posting the same in a conspicuous location in said site. The order shall describe the nature of the violation, and the date on which said order shall expire, which date shall not be six days later than the date of the order.

(b) Any person who shall violate the provisions of a stop order shall be deemed in violation of these Zoning By-laws.

(c) Failure of the Town to deliver a stop order for any reason shall not prevent the Town from pursuing any other legal remedy permitted under law.

I. FEES

In order to reimburse the Town for the expense of processing the various applications hereinabove provided for the Board of Zoning Appeals may, from time to time, adopt and promulgate in its Regulations a schedule of fees payable by the applicant, a copy of which shall be kept on file and available in the office of the Town Clerk.

J. DEDICATION TO PUBLIC USE

All persons applying for a special permit to the Board of Zoning Appeals seeking an exception under this Section IX B to the regulations and restrictions contained in the Zoning By-laws of the Town of Wayland acknowledge that their proposal to construct multi-residence dwellings in an approved development site will be considered by the Town in the light of its objective to preserve open space in Wayland for all its inhabitants by permitting a greater density of dwelling units in such sites than would otherwise be permitted there by law, and their offer to convey property shown as "public land" in their development to the Town shall be construed in satisfaction of a condition which the Board may lawfully impose pursuant to G.L. chapter 40 A, section 4 so that exceptions sought by applicants shall always be in harmony with the general purpose and intent of these By-laws.

K. SEVERABILITY

A determination that any specific portion of this Section IX B is invalid shall not render any other part thereof invalid.

TOWN OF WAYLAND
Board of Selectmen
38 COCHITUATE ROAD
WAYLAND, MASS. 01778

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